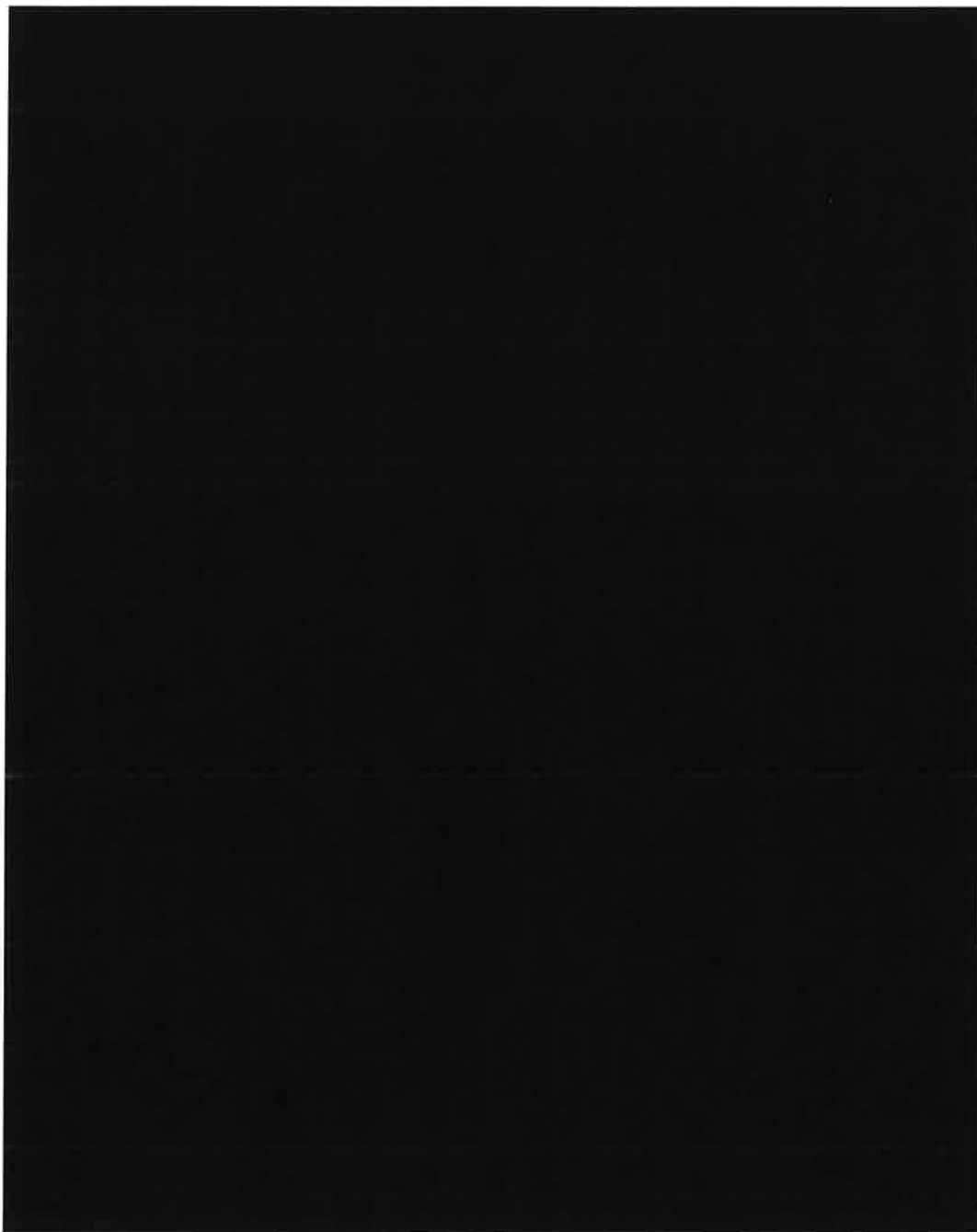


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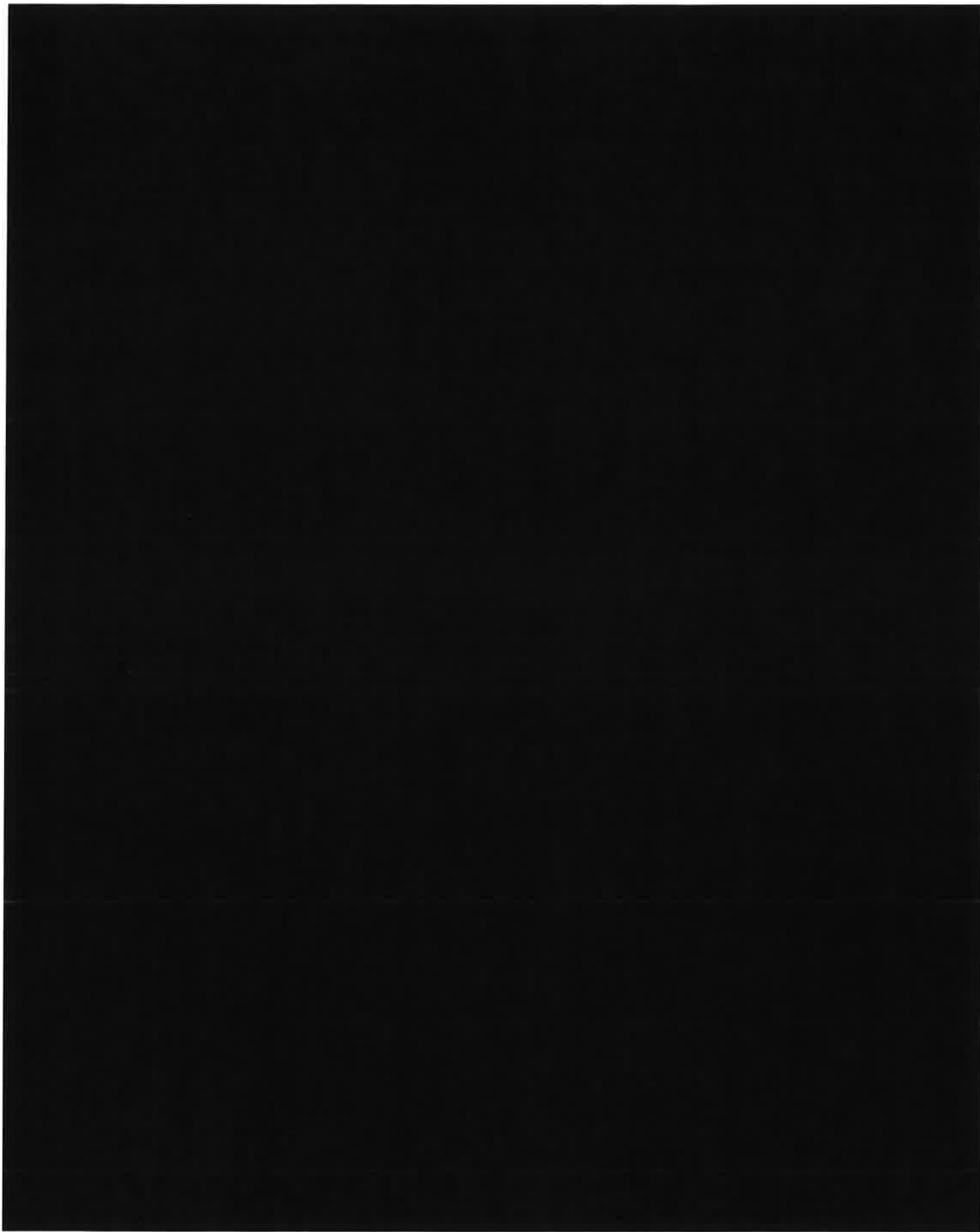
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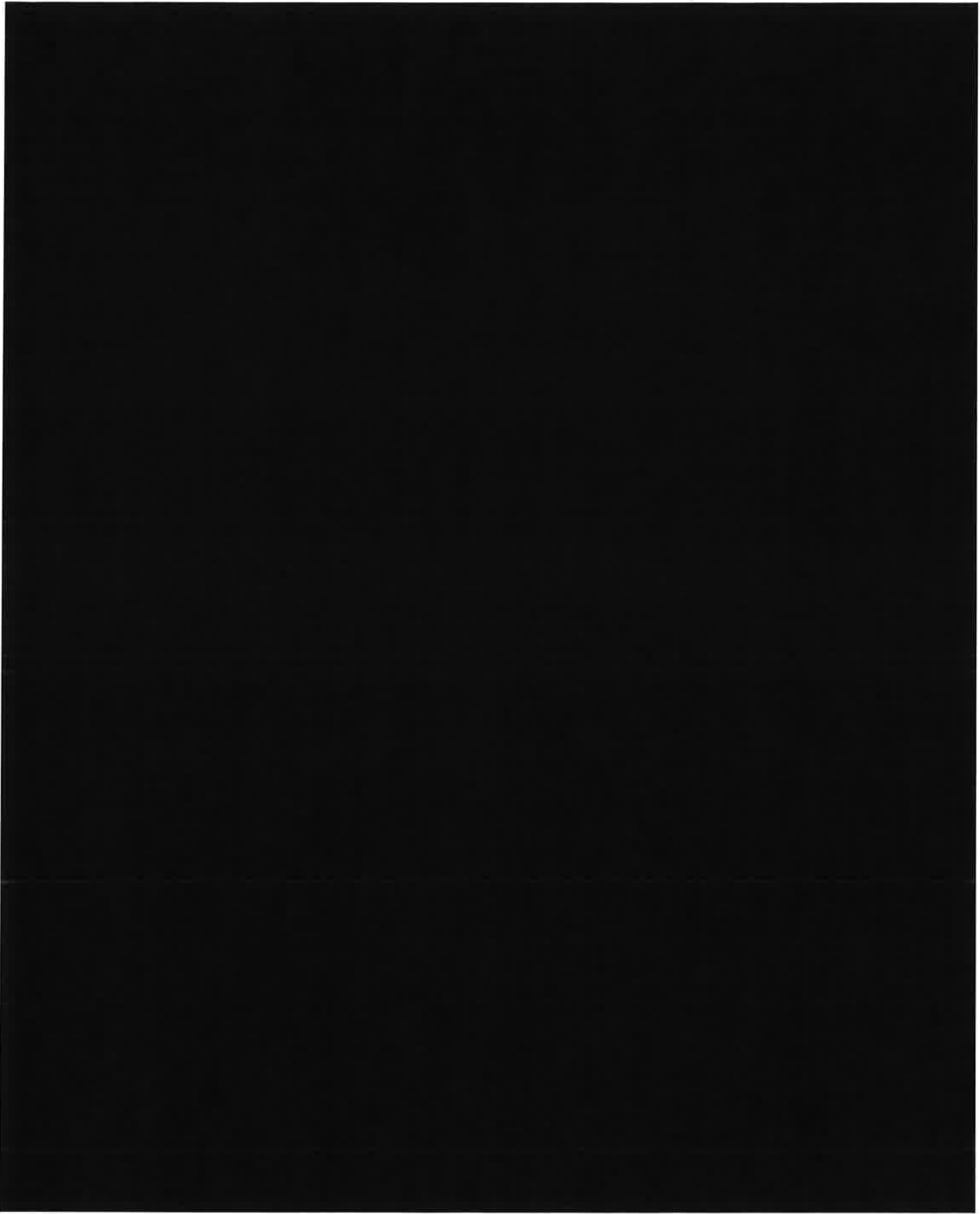
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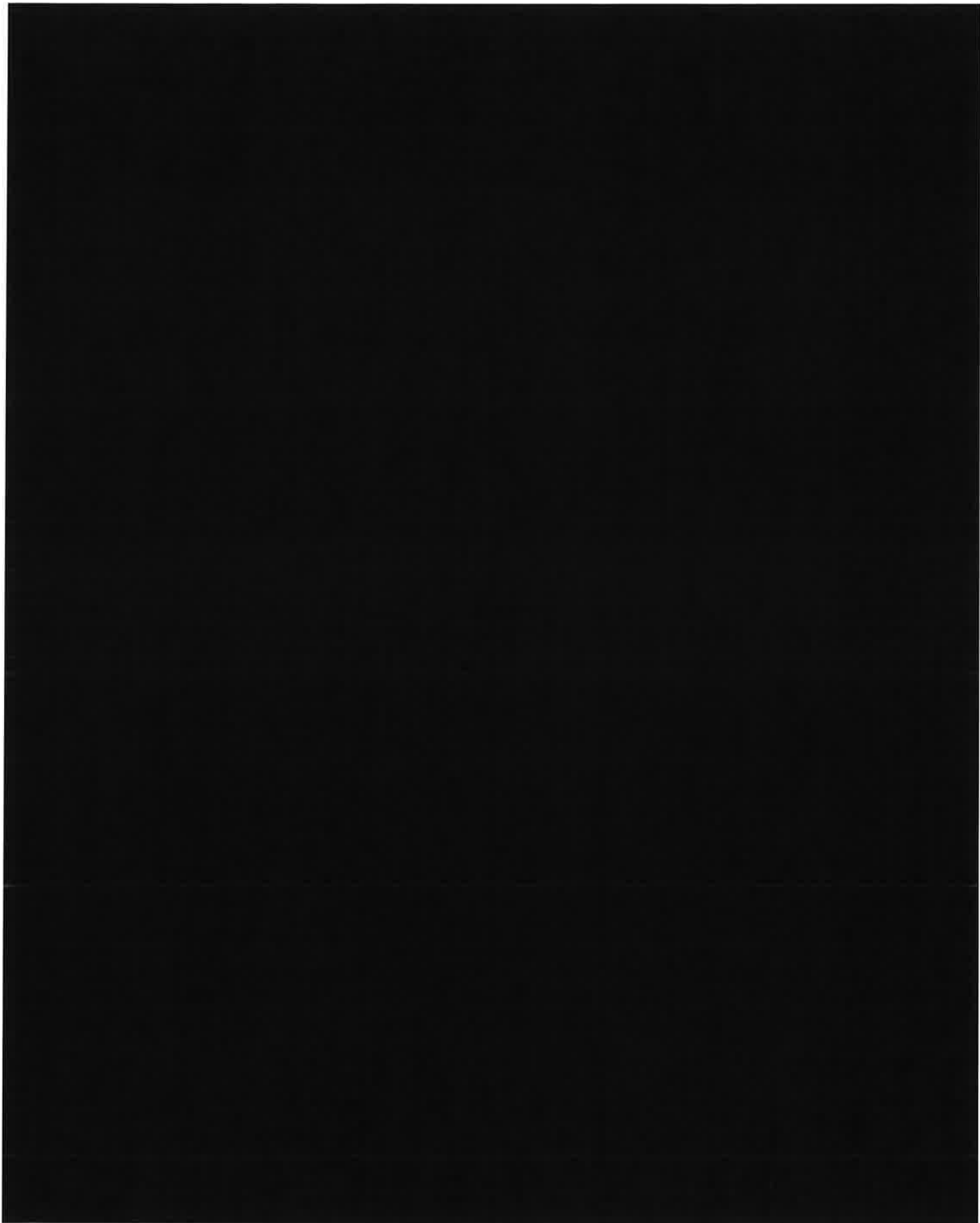
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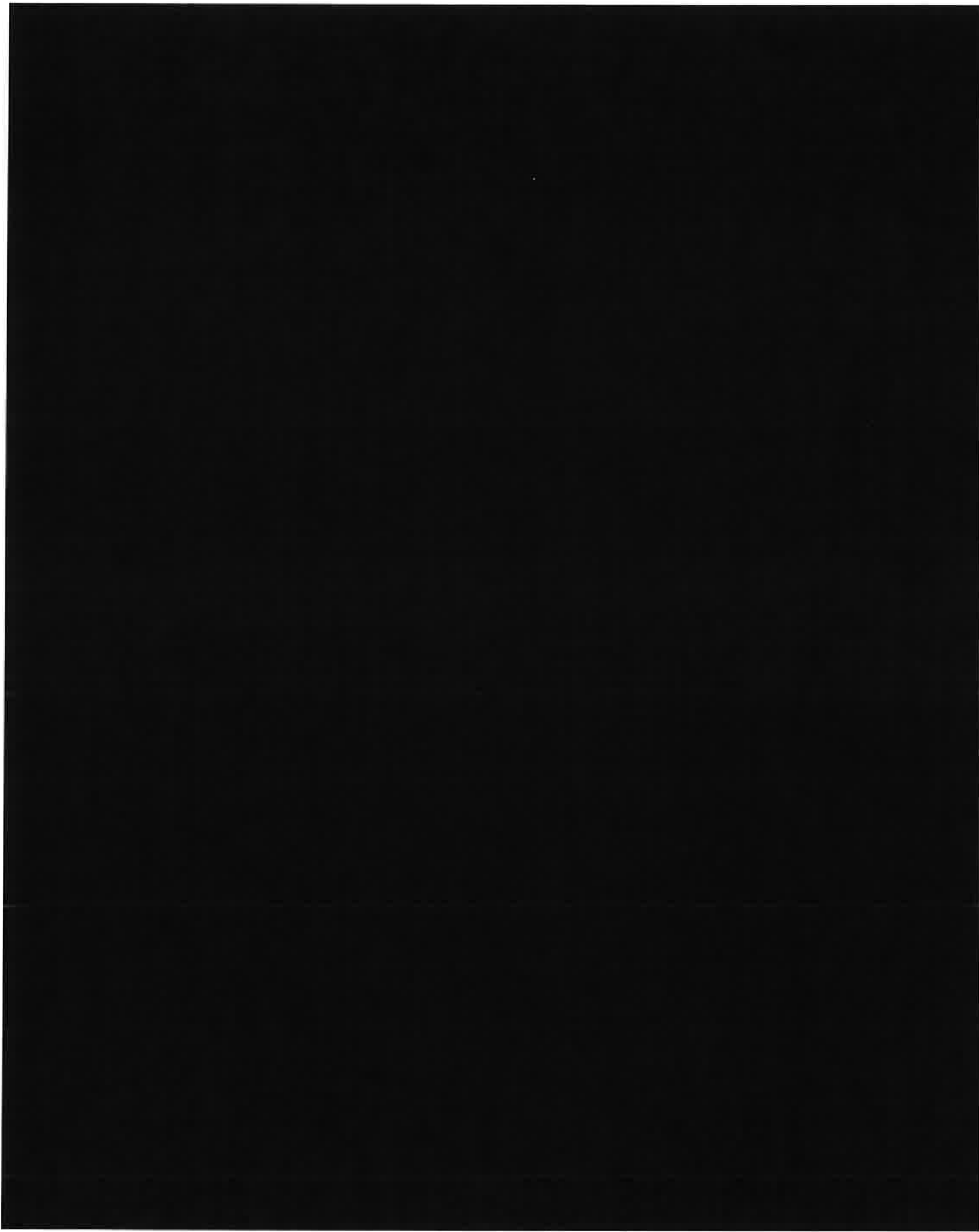


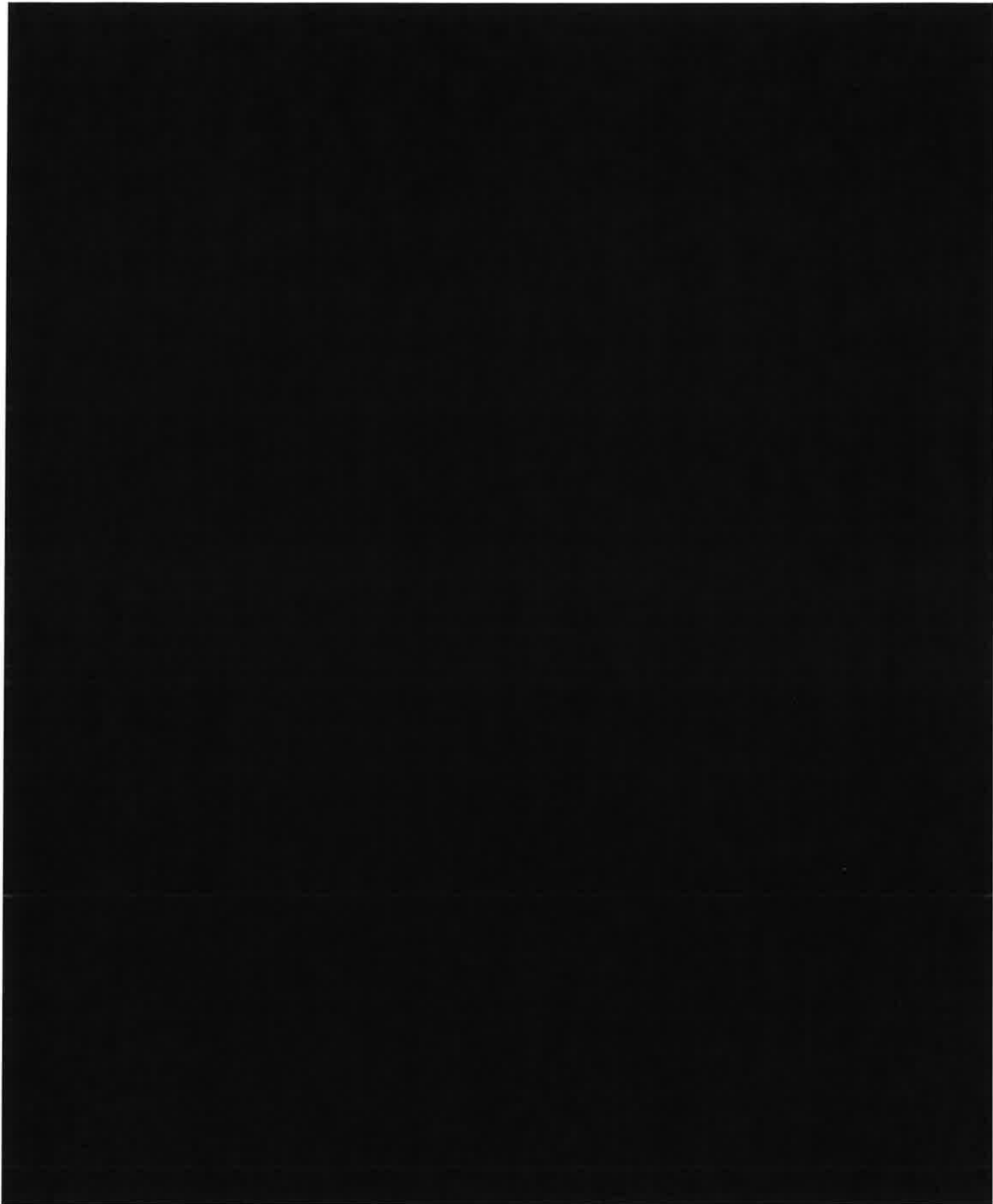


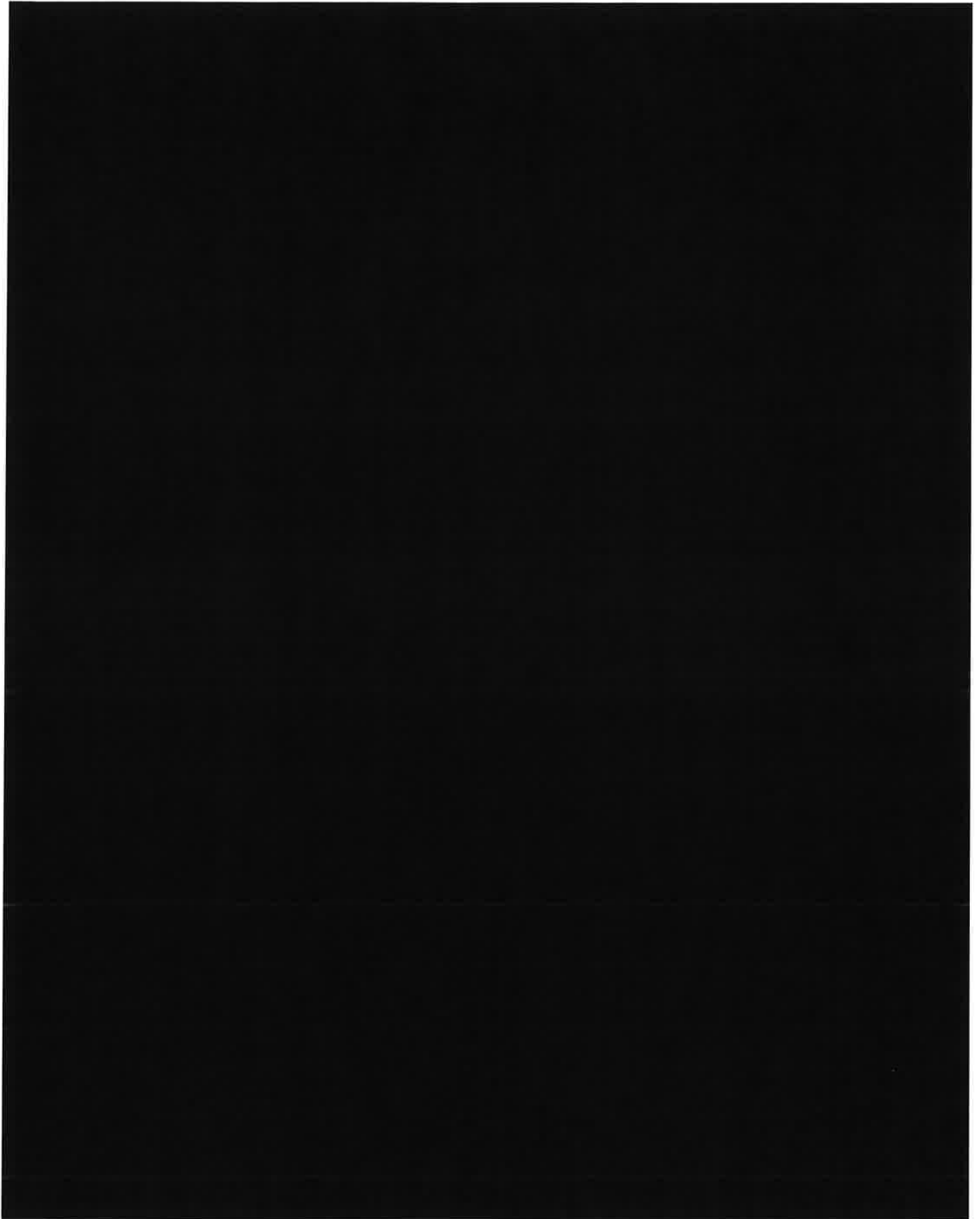


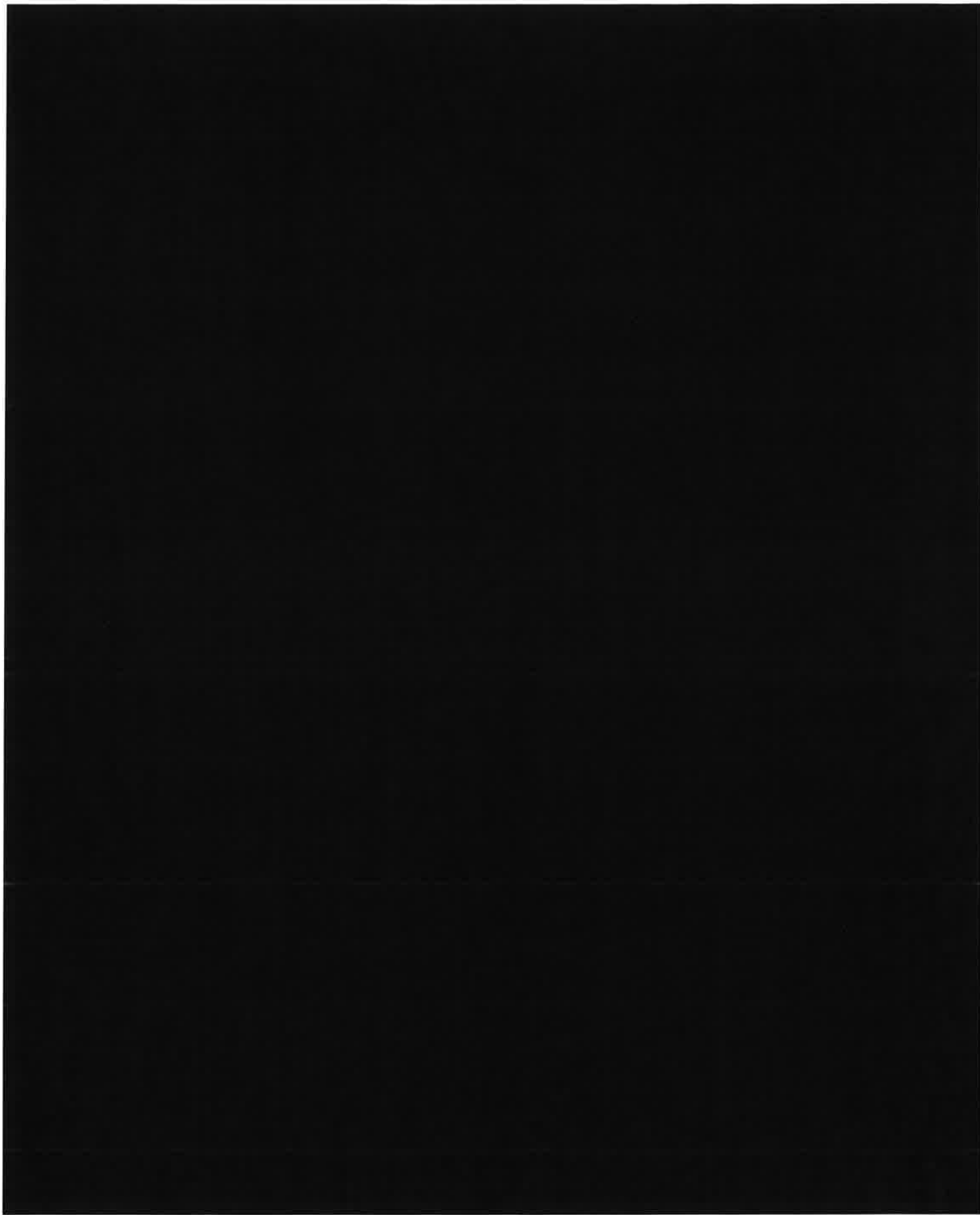


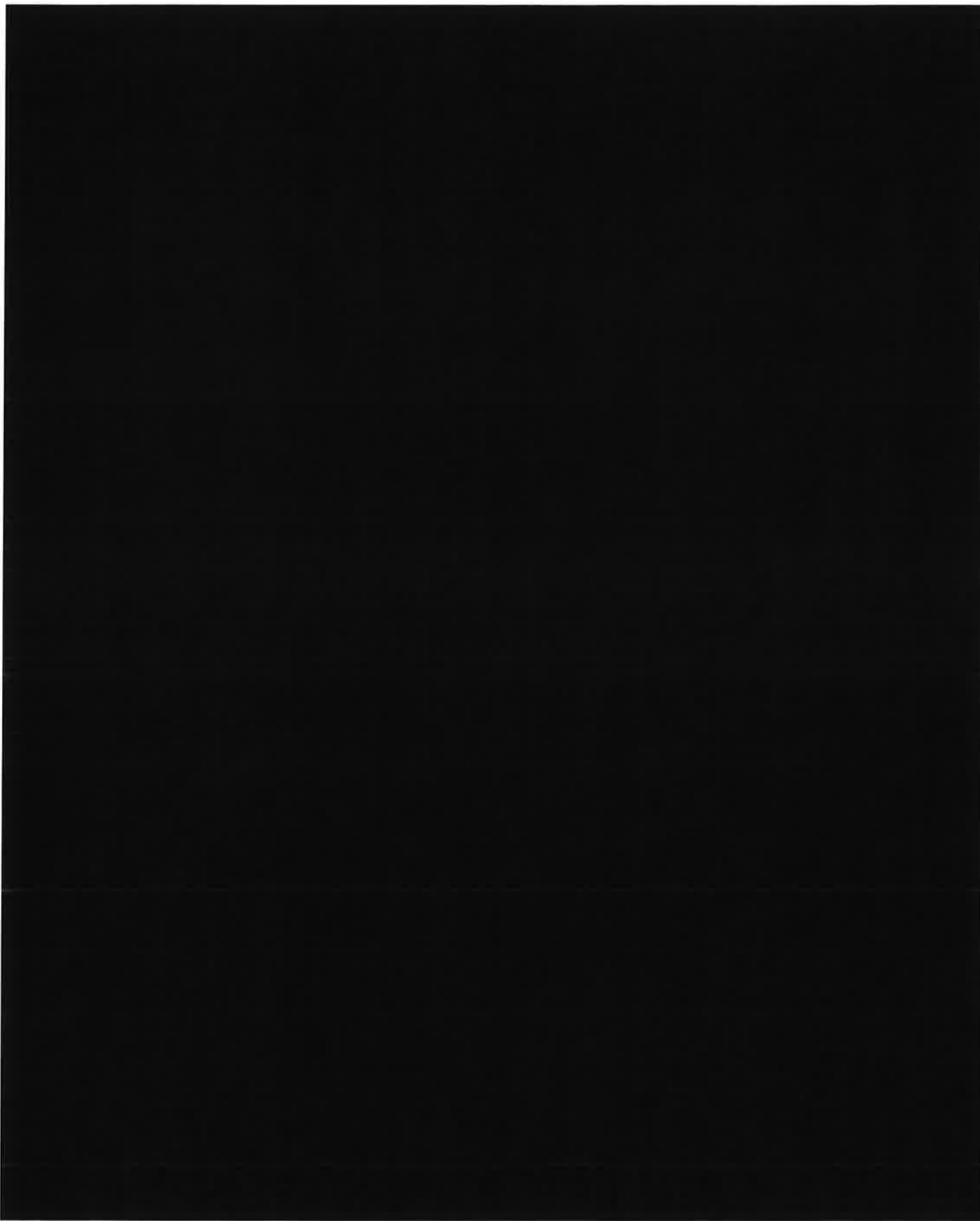












THE HOMELAND SECURITY *NEWS CLIPS*

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TO: THE SECRETARY AND SENIOR STAFF
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LEADING DHS NEWS

A Visit Behind The Lines: President Trump Heads To California

By Adam Nagourney And Tim Arango
New York Times, March 12, 2018

LOS ANGELES — Since Donald J. Trump was elected president in November 2016, he has paid visits to Pennsylvania, Texas, Ohio, South Carolina, West Virginia, Florida and Wisconsin. He has gone to New York, New Jersey and Maryland. The president has even found time to stop off in Hawaii.

But there is one state where Mr. Trump's absence has been particularly glaring: California, the West Coast bastion of the Democratic Party.

That is about to change.

The president arrives in California on Tuesday morning for a brief trip into what the White House presumably views as enemy territory. The visit comes a week after Attorney General Jeff Sessions sued the state over three newly enacted immigration laws, contending that they were unconstitutional. In response, Gov. Jerry Brown, a Democrat, said that Mr. Trump was "basically going to war" with California.

The governor sent Mr. Trump a letter Monday in which he heralded California's economic success in recent years and quoted another Republican president — George W. Bush — in arguing that the state's economic well-being was critical to the nation's prosperity.

"Our prosperity is not built on isolation," Mr. Brown added. "Quite the opposite. California thrives because we welcome immigrants and innovators from across the globe."

Mr. Trump is flying into San Diego, where he will view prototypes of a border wall being built along the Mexican border, before speaking to troops at a nearby military base. From there, he is heading to Beverly Hills for a high-roller Republican fund-raiser before flying back to Washington on Wednesday morning. He is not planning to meet with any

California leaders, or tour any part of the state outside that stretch along the border.

It is the first time the president has come to this state since he campaigned here during the Republican presidential primary nearly two years ago. His appearances at the time set off demonstrations and clashes with the police, including one in which his motorcade was blockaded by protesters as he turned up to speak at a state Republican Party convention outside San Francisco. (Mr. Trump was forced to leave his vehicle and trudge up a hill, climbing over a fence, to get into the venue).

Similar demonstrations are expected again. Protesters — and some supporters — are planning rallies in the San Diego area before the president's visit on Tuesday. One group, Women's March San Diego, is planning to erect a large sign in opposition to the border wall that the president would see from the air, should he fly in by helicopter. Another group, which calls itself San Diegans for Secure Borders, is planning a rally on Tuesday in support of the president's immigration policies. Among those scheduled to attend, the group said, are "parents whose children were murdered by illegal aliens who crossed our unsecured border illegally to kill our citizens."

Los Angeles is girding for protests as well, though demonstrators may be confused over where to go. The location of Mr. Trump's fund-raiser, and where he is staying, has been kept secret. A spokeswoman for the Los Angeles Police Department, Officer Rosario Herrera, said no permits had been issued for major protests as of Monday morning, and that any road closings would be determined later in consultation with the Secret Service.

"We are prepared for anything that arises in the city of L.A.," she said.

Indeed, California Democrats seem eager for Mr. Trump's arrival: the state Democratic leader, Kevin de León, who is running for Senate, called for a demonstration even before Mr. Trump takes off from Washington, on Monday next to the Beverly Hills sign, with labor and civil rights groups.

Tensions between California and Washington have been high since Mr. Trump was elected, reflecting the

decidedly different political philosophies between the president and many Democrats here. A poll by the Institute of Governmental Studies at the University of California, Berkeley, in December found that only 30 percent of respondents approved of his job performance; his national job approval rating has hovered around 40 percent, depending on the poll.

And California now looms as prime territory for Democrats seeking to retake Congress next year. At least seven Republican congressional seats in California are viewed as vulnerable, many of them located right near where Mr. Trump will be touching down. Republican strategists have advised candidates for office here to distance themselves from the president; a key question on Tuesday will be which, if any, Republican members of Congress will appear in public with the president.

Neither side appears inclined to calm the waters in advance of Mr. Trump's visit. Mr. Sessions, in addition to challenging the three California immigration laws, has also threatened to bring obstruction of justice charges against Libby Schaaf, the Democratic mayor of Oakland, for warning constituents this month of impending raids by federal immigration officers. Over the weekend, the president used his weekly address to criticize the state's immigration policies.

"California's leaders are in open defiance of federal law," Mr. Trump said. "They don't care about crime. They don't care about death and killings. They don't care about robberies. They don't care about the kind of things that you and I care about."

Mayor Eric M. Garcetti of Los Angeles described Mr. Trump as being out of touch with the nation and the world. "Why would our president come all the way across the country to look at wall samples in a state where he's taking away more people's health care than anywhere else?" he said.

At a news conference Monday morning, Xavier Becerra, California's attorney general, listed ways he sees his state as exceptional: "When President Trump comes to California, he'll see a state that's No.1 in manufacturing, agriculture, high-tech, in graduating young people from college," he said.

"Our state is going to keep moving forward, keep welcoming people who want to work hard, no matter what happens in Washington," he said.

Mr. Brown, who is entering his final year in office, used his letter to urge Mr. Trump to lend his support to the high-speed train line Mr. Brown has been trying to build between San Francisco and Los Angeles. The plan has been put in jeopardy because of cost overruns and opposition from Republicans in Washington.

"In California we are focusing on bridges, not walls," Mr. Brown said. He urged the president to visit the Central Valley

where "more than a dozen bridges and viaducts are being built for the nation's first and only High-Speed Rail line."

"You have lamented that 'we don't have one fast train' in our country," Mr. Brown said. "Well, Mr. President, in California we are trying to fix that. We have a world-class train system under construction. We invite you to come aboard and truly 'Make America Great Again.'"

As California has emerged as the seat of the resistance to the Trump administration — on issues from immigration to climate change, to offshore oil drilling and marijuana policy — there has been a growing sense of separateness between here and the rest of the country.

Joe Mathews, a columnist for Zócalo Public Square, a nonprofit news site, recently compared California's tenuous ties with the rest of America to mainland China's relationship with Taiwan, which has its own ambitions of independence. Calling California a "halfway country" just like Taiwan, Mr. Mathews wrote, "our state has the ambitions, economy and democracy of a leading nation."

With the exception of the Civil War and the civil rights battles of the 1960s, there appears little historical precedent for the kind of clashes — in language and policy — that are now on view between California and Washington. "There's just a sense that the Trump presidency is moving the nation in the exact opposite direction from where California wants it to go," said Manuel Pastor, a professor of sociology and American studies and ethnicity at the University of Southern California. "So the estrangement is quite high."

Professor Pastor argues in a forthcoming book, "State of Resistance," that California's own measures against undocumented immigrants in the 1990s prefigured Mr. Trump's hard-line positions on immigration. California voters approved a 1994 ballot initiative that would have cut off state benefits to illegal immigrants, a move that was championed by the Republican governor at the time, Pete Wilson. The initiative was thrown out in court, but the Republican embrace of it contributed to the party's long decline in political power as the state became more Democratic and Latino.

Trump To Raise \$5 Million In California For Re-election Bid

[Reuters](#), March 12, 2018

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

'This Visit Is A Political Stunt:' Trump's California Trip Draws Criticism From State Leaders

By John Wagner

[Washington Post](#), March 12, 2018

SAN DIEGO — When President Trump touches down here Tuesday, he will be landing in the cradle of the resistance to his presidency — and then proceed to thumb his nose at those who oppose him.

On his first trip to California since taking office, Trump is scheduled to head down to the U.S.-Mexico border to inspect eight prototypes for his long-promised wall.

While the move is being enthusiastically welcomed by Trump's supporters, it is expected to draw protests on both sides of the border. And it invited scorn Monday from leading Democrats here who have sought through legislation and lawsuits to fight an array of Trump policies, ranging from immigration to offshore drilling to health-care access.

"This visit is a political stunt to rally his base around a stupid boondoggle," said California Senate President Pro Tem Kevin de León, who also accused Trump of "misogyny and bigotry" and suggested his visit to the border is an attempt to distract voters from the ongoing investigation of Russian interference in the 2016 election.

While in the Golden State, Trump will also address military personnel at the Marine Corps Air Station Miramar here and attend a posh Republican National Committee fundraiser in Beverly Hills. There are no plans to meet with Gov. Jerry Brown or other leading Democrats in a state that Trump lost to Hillary Clinton by more than 4 million votes.

Despite his more than year-long absence, Trump is no stranger to California, and it bears markings of his success. Trump owns a home in Beverly Hills and a golf club in Rancho Palos Verdes, and he moved the staging of his reality show, "The Apprentice," to the state after ratings started to slump in New York.

Still — as Tuesday's visit will likely bear out — Trump's relationship with state leaders have been openly hostile and continue to deteriorate.

"I don't think he would be going there if the border wall prototypes were in Texas," said Barry Bennett, a Republican consultant who advised Trump during the 2016 election. "It's incredibly out of touch with the rest of the country. Politically, it's not a place to waste too many seconds."

The last time Trump was in San Diego, for a May 2016 campaign rally downtown, police in riot gear dispersed large crowds of protesters who clashed with Trump supporters. Thirty-five people were arrested.

In anticipation of what could be another unruly scene, police last week announced a "temporary restriction area" around the site of the border wall prototypes and pledged to prosecute anyone who brings in knives, bricks, baseball bats, firearms or other "implements of riot."

Trump's visit comes on the heels of a trip last week by Attorney General Jeff Sessions to announce the Trump administration is suing California in an attempt to block its "sanctuary" laws. Among other things, the administration is targeting a provision that bars local authorities from asking

about the immigration status of people during routine interactions.

At a news conference in response, Brown said it was unprecedented for an attorney general to "act more like Fox News than a law enforcement officer" and angrily accused the administration of "basically going to war against the state of California, the engine of the American economy."

Trump ramped up the rhetoric further during his weekly address on Saturday, accusing California leaders of acting "in open defiance of federal law."

"They don't care about crime," Trump said. "They don't care about death and killings. They don't care about robberies. They don't care about the kind of things that you and I care about."

On the eve of Tuesday's visit, both Brown and California Attorney General Xavier Becerra — who has sued the Trump administration 28 times — suggested additions to Trump's itinerary, knowing full well he wasn't likely to listen.

No president since Franklin Roosevelt has waited so long since his inauguration to visit California — and he traveled by train.

"I'm not sure why it took him so long given California leads the nation in so many ways," Becerra told reporters during a conference call, suggesting that Trump take time to learn about some of the state's policy successes, including what he called nation-leading gun-safety measures.

That was a not-so-subtle dig at the White House, which on Sunday unveiled a series of initiatives in response to the schools shootings in Parkland, Fla., that many gun-safety advocates criticized as too feeble.

In a letter to Trump that Brown's office made public on Monday morning, the governor encouraged the president to visit the state's Central Valley, where preparations are underway for a bullet train from San Francisco to Los Angeles — including the construction of bridges to accommodate the high-speed line.

"You see, in California we are focusing on bridges, not walls," Brown said in the letter, in which he also recounted visits by other presidents who celebrated that state's diversity and recognized its role in the U.S. economy.

Brown and other California officials are quick to note that California on its own represents the sixth largest economy in the world.

"California's economy is larger than Vladimir Putin's Russia," as de León put it.

The border wall prototypes Trump plans to visit are on display in a dusty lot near the border east of here. The 30-foot-tall barriers use varying configurations of steel, concrete — even spikes — to create ramparts far more formidable than almost anything in place along the 2,000-mile border with Mexico.

The Trump administration is seeking \$18 billion for border wall construction over the next 10 years, an amount

that would pay for roughly 300 miles of new barriers where none currently exist and allow the government to replace another 400 miles of older "legacy" fencing.

While protests of Trump's survey of the prototypes are being planned, at least one group is pledging a rally in of support of the president's vision.

Jeff Schwilk, founder of San Diegans for Secure Borders, said his group held a similar rally in December that drew about 150 people. This one could be far larger based on interest he's seeing on Facebook, he said.

"This is way off the charts," Schwilk said. "Everyone wants to come and show their support from all over the state, and even from Arizona."

He said Trump supporters are glad to finally get a glimpse of the president in a state run by "a rogue California government."

"We'd kind of been left out here hanging," Schwilk said.

Others wish Trump would stay away.

"He's coming to spread his fear, because in my view, he's a terrible man," said Pablo Alvarado, executive director of the National Day Laborer Organizing Network, a Los Angeles-based advocacy group.

Alvarado predicted that Trump will also be met in the Los Angeles area by "plenty of people protesting. He's non-gratis. California is a very diverse, multicultural state. It's the antithesis of what Trump stands for."

On Monday, Alvarado's organization was among those supportive of a new federal lawsuit in San Francisco challenging the Trump administration's plans to end temporary protected status for about 200,000 immigrants from El Salvador, Haiti, Nicaragua and Sudan.

Thomas E. Mann, a senior fellow with the Brookings Institution, suggested one reason Trump hasn't been eager to return to California: It almost certainly won't be part of his electoral calculus in 2020.

Clinton bested Trump by 30 percentage points in 2016. While the state produced two presidents in the modern era — Richard Nixon and Ronald Reagan — rapid growth among Latino and Asian voters, who lean Democratic, have made the state far more difficult for Republicans.

Democrats hold every statewide office and control both chambers of the legislature by sizable margins.

"It wasn't that long ago California was competitive in presidential elections, so there was ample incentive to go there," said Mann, who has lived for the past three years in California, where he is now a resident scholar at the Institute of Governmental Studies at the University of California.

There's really no political incentive for Trump to visit now, Mann said. "What's the point of doing it if all you're going to do is stir up the opposition?"

When asked about the trip at a Monday's briefing for reporters, White House press secretary Sarah Huckabee Sanders said that isn't Trump's aim.

"While ... he may not have won that state, there are certainly a lot of support for this president, not just there, but across the country, and he looks forward to being there, and presenting a lot of those specific policies," she said.

De Leon said California "is not Trump country. It never has been, never will be." But, he said, the state has a long tradition of accepting outsiders.

"The Golden State has always welcomed those from all over the world, even Queens," de Leon said, referring to the borough of New York where Trump grew up.

Nick Miroff contributed to this story.

Police Preparing For Big Protests As Trump Makes First California Visit As President

By Richard Winton

Los Angeles Times, March 12, 2018

With President Trump heading to the Los Angeles area Tuesday for a high-dollar campaign fundraiser on his first White House visit to California, law enforcement will be ratcheting up in preparation for potential protests.

While details of the Trump visit remain clouded in secrecy, he is scheduled to attend an evening fundraiser for his reelection campaign when he visits California for the first time in his presidency and Los Angeles police and sheriff's officials are ready for spontaneous protests. Earlier in the day, Trump will inspect prototypes for a border wall, a key component of his campaign platform of a tough line on immigration.

His administration and the state's Democratic leadership have repeatedly clashed over immigration, environmental and other policies. The visit comes on the heels of the Department of Justice suing California over state laws that offer protections for immigrants in the country illegally.

"We are prepared for anything," said Los Angeles Deputy Police Chief Horace Frank, who oversees the counter-terrorism and special operations bureau. Frank said while no permitted protests in the form of marches are planned, authorities do expect to see protesters and supporters out in numbers during a presidential visit.

At least one protest is planned in the Beverly Hills area between 4 and 8 p.m. Tuesday by a Facebook group, Trump Not Welcome in LA. The LAPD is preparing for many more protests of various sizes on the Westside.

"I anticipate many more once his itinerary is known," said LAPD Deputy Chief Dennis Kato, who oversees the department's West Bureau.

Trump's earlier visits to L.A. while he was a candidate did bring out demonstrators.

Some protests are also planned for the San Diego area.

The political group Union del Barrio's Los Angeles chapter is organizing the Beverly Hills protest.

Ron Gochez, a political secretary with the chapter, said more than 1,000 people were following the Beverly Hills protest Facebook page even though he was still unclear about where the protest would take place.

"He cannot step foot in this state and not expect an organized response to denounce him," Gochez said.

Los Angeles County Sheriff Jim McDonnell said as with all presidential visits his deputies will be involved in supporting the U.S. Secret Service and ensure public safety. McDonnell said so far there are no formal protests but he expects "more spontaneous social media drive" actions.

Police officials say they will enforce laws that require protesters to stay off the streets and private property and will keep supporters and protesters from engaging in physical confrontation. In the past, large immigration marches and anti-Trump protests have seen clashes between supporters of the president and his opponents.

Officers in the event of trouble will be ready to deploy to potential protest hot spots but will seek to keep a low profile unless needed, officials said.

While the fundraiser is described as in Beverly Hills, police officials there on Friday said the president is not scheduled to visit the city. Often areas in adjacent Los Angeles are described as Beverly Hills because they use a Beverly Hills postcode. Several key Trump fundraisers who actively participated in his presidential campaign live in those areas.

Donors will contribute up to \$250,000 each to Trump's campaign and various Republican National Committee accounts to attend the Tuesday evening event at an undisclosed location in Beverly Hills.

The fundraiser is being hosted by Republican National Committee Chairwoman Ronna McDaniel, national finance chairman Todd Ricketts and deputy national finance chairman Elliott Broidy.

Whether supporters or protesters see much of the presidential motorcade remains to be seen. Exactly how Trump plans to get to the fundraiser remains under wraps as is usual for the U.S. Secret Service. President Obama, who regularly made the trip to Hollywood fundraisers, came in for criticism for repeatedly causing traffic jams on the city's Westside. On some occasions, that lead Obama to fly a helicopter into an open field nearer the venue.

Earlier in the day, Trump will inspect border wall prototypes in San Diego. There the county sheriff seeing the potential for clashes between supporters and opponents has had the county institute a ban on a possession of a variety of objects including, rocks, bottles and bats surrounding the area where the president is slated to visit Tuesday morning.

The border wall is among the most contentious issues that have seen the heavily Democratic California and its politicians repeatedly clash with the Republican president.

Trump To Visit Largest Border City Opposed To Wall

Associated Press, March 12, 2018

SAN DIEGO (AP) — When Donald Trump visits San Diego to examine prototypes of the border wall, the president will be landing in the largest city on the U.S.-Mexico border to formally oppose his plans.

Numerous rallies are planned by groups both for-and-against Trump and his push to build a "big, beautiful wall" separating the two countries. Trump will make his first visit to the city Tuesday since being elected. Protests are also being planned across the border in Tijuana, Mexico.

Organizers on both sides were urging people to remain peaceful after recent scuffles at rallies in Southern California, including brawls at a Dec. 9 rally near where the prototypes stand.

In San Diego on Monday, immigrant activists, church leaders and elected officials held a press conference at the city's historic Chicano Park to call for demonstrations to show border communities do not support a wall. Standing in front of murals of Mexican revolutionaries, they chanted "We reject your hate! We don't need your racist wall!"

"It's really important that as a region, as a city that has firsthand understanding of what the border wall means for our communities that we stand against (this) and we send a strong message to DC to say this is something that we don't welcome," City Councilwoman Georgette Gomez said Monday.

Gomez sponsored a resolution passed by the San Diego City Council in 2017 opposing the wall, calling it detrimental to the city's environment and tourism. It also expressed the city's intent to divest from the companies involved in the construction, financing and design of the wall.

Republican Mayor Kevin Faulconer did not support the resolution but also did not veto it. The mayor's office said Faulconer has been clear in his opposition to walls along the border but he did not want to blacklist companies involved in the construction of the prototypes.

"When some people look at the U.S.-Mexico border, they see division," Faulconer said in his state of the city address in 2017. "But here in San Diego we view it much differently. Rather than allowing the border to divide us, we're building bridges that connect us."

Jeff Schwilk, founder of San Diegans for Secure Borders, whose group participated in the rally in December near the prototypes that ended in clashes with counter-protesters, said the city council's resolution does not reflect the views of many residents, who feel the border is not secure. He said his organization respects free speech and hopes Tuesday's rally will be safe for participants.

"We absolutely want President Trump to feel welcome and to come inspect the prototypes so we can get the wall built," he said.

Trump on Tuesday is expected to be briefed on lessons learned from the prototypes' construction and meet with border agents and officers to ask what they need, said Jonathan Hoffman, Homeland Security spokesman.

The president is determined to fulfill his campaign promise and will not be swayed by California Republican lawmakers concerned the wall is a waste of money, White House spokeswoman Sarah Huckabee Sanders told reporters Monday.

"The president campaigned on this, he talked about it extensively and he's the president and this is something that he is not going to back away from," she said. "It's something that he's going to continue to push for."

California Gov. Jerry Brown on Monday invited Trump to also visit the state's high-speed rail construction projects.

"You see, in California we are focusing on bridges, not walls," Brown, a Democrat, said in a letter sent to Trump.

Trump's visit comes just days after his Justice Department sued to block California laws designed to protect people living in the U.S. illegally and U.S. Attorney General Jeff Sessions followed up with a speech in Sacramento that was immediately denounced by Brown, who said the Trump administration was "full of liars."

California Attorney General Xavier Becerra, who has sued the Trump administration more than two dozen times within the past year, said he hopes the president will take away lessons about the state's economic prowess, its strict gun laws and its environmental focus.

And he vowed to keep fighting against efforts to "send us backward."

Ronayne reported from Sacramento. John Antczak in Los Angeles, Elliot Spagat in San Diego, and Nancy Benac in Washington contributed to this report.

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Trump Intensifies War On California's Immigrant 'Sanctuaries'

By Dean Dechiaro

Roll Call (DC), March 12, 2018

The legal struggle over immigrant "sanctuaries" is escalating, and deep-blue California is ground zero.

"This is basically going to war," Democratic Gov. Jerry Brown said after Attorney General Jeff Sessions announced last week that the Trump administration is suing the state over three recently enacted laws limiting local and state law enforcement cooperation with federal immigration agents.

For the most part, President Donald Trump's effort to crack down on illegal immigration and so-called sanctuary cities, counties and states has yet to produce results. Multiple courts have blocked his efforts, Congress has struggled to pass legislation that would aid him, and local officials — especially those in California and other Democratic strongholds — are in open revolt.

"I think it's clear they've put a target on the back of California," said the state's junior senator, Democrat Kamala Harris. "Maybe because we've clearly stated that we're going to take a more humane approach that's in conflict with this administration's approach, which is to target immigrants."

Watch: How The Senate Immigration Debate Stalled Rolling back?

If Trump's fortunes change, it could be at the state's expense. California could see its three landmark sanctuary laws rolled back, meaning more of its undocumented residents could face deportation. And the state could lose millions of dollars in federal funding.

A federal judge on March 5 ruled in Trump's favor, allowing the Justice Department to withhold from the state — for now, at least — a \$1 million grant because of its sanctuary policies. Sessions announced the lawsuit days later, accusing California of using "every power it has to undermine duly established immigration law in America."

Sessions told an audience of law enforcement officials that the administration would "fight these unjust, unfair and unconstitutional policies" and was confident of winning.

In a separate effort, DOJ has threatened to issue subpoenas to the state and seven cities and counties, including Los Angeles and San Francisco, if each does not hand over documents and other information related to their sanctuary policies.

The rift was on full display in Oakland in February when Mayor Libby Schaaf warned the public about an imminent federal Immigration and Customs Enforcement operation, "not to panic our residents but to protect them," she said. The raids in Northern California in the following days still resulted in arrests of more than 230 undocumented immigrants, but the administration blamed Schaaf, a Democrat, for helping an additional 800 people evade capture.

"Those are 800 wanted criminals that are now at large in that community — 800 wanted criminals that ICE will now have to pursue by other means with more difficulty in dangerous situations, all because of one irresponsible action," Sessions said on Wednesday. "So here's my message to Mayor Schaaf: How dare you?"

Tensions between Trump and California — home to roughly 2.3 million undocumented immigrants, according to the Pew Research Center — have never run higher. The chasm could widen this week, when Trump is expected to visit the state to view prototypes for his proposed wall on the

U.S.-Mexico border, which were constructed near San Diego.
Two-front war

As Sessions takes on California's sanctuaries in court, the Homeland Security Department is responding in its own way: with force.

ICE has promoted other high-profile operations in the state, including a sweep in Los Angeles last May that resulted in the arrests of more than 200 people. But behind the scenes, the agency has been clinical, making more than 6,200 arrests from October through December, the most recent time frame for which data is available. That's about 16 percent of all arrests nationwide, according to ICE.

Activists have accused ICE of trying to instill fear in immigrant communities, a potent tool in the enforcement plank of Trump's hard-line immigration platform.

"For the Trump administration to task its ICE officers to go out into these places for political reasons is really appalling," said David Leopold, a former president of the American Immigration Lawyers Association. "It doesn't do anything to make the borders more secure or keep felons off the street."

The majority of the undocumented immigrants arrested have had criminal records, according to ICE.

"They're doing it in a systematic way, not simply arresting the most illegal aliens they can find," said Jessica Vaughan, director of policy studies at the Center for Immigration Studies, which advocates tougher enforcement. "If that were all you wanted to do, you'd start cruising by Home Depots and picking up day laborers."

Thomas D. Homan, ICE's acting director, has argued that California's sanctuary jurisdictions make raids necessary. He said sanctuaries like Oakland "force ICE officers to make more arrests out in the community, which poses increased risks for law enforcement and the public."

Trump's supporters disagree with the notion that he's unfairly targeting California.

"I think it's wrong to describe this as a vendetta," Vaughan said. "This is a logical, operational response." Legal battle ahead

For all the administration's efforts to stop sanctuary jurisdictions in the courtroom, the coming legal battle could be uncharted territory.

Senior DOJ officials, who briefed reporters on the condition they would not be named, described the Trump lawsuit as novel because the state laws are untested in court.

Two of the statutes limit the degree to which local police may communicate with ICE and what information they may share, including the date on which an undocumented individual is released from jail. The third requires California employers to verify that ICE has a warrant or subpoena before allowing them to check workers' immigration status.

The government plans to argue that each law defies the Constitution's supremacy clause, which holds that state laws

cannot pre-empt federal ones. Officials said they would likely invoke a 2012 Supreme Court ruling against the state of Arizona, which had passed a set of tough immigration laws deemed by the high court to be in violation of the supremacy clause.

"Just imagine if a state passed a law forbidding employers from cooperating with [the Occupational Safety and Health Administration] in ensuring workplace safety. Or the Environmental Protection Agency, looking for a polluter," Sessions said.

Rep. Ro Khanna, who represents a district in Silicon Valley, said the attorney general's view stands in stark contrast to his past positions on states' rights.

"Here's what's so ironic about it: Jeff Sessions used to believe in federalism," the California Democrat said. "It's not even an issue of immigration as this is an issue of the balance of power between cities, states and the federal government."

Brown said Sessions' characterization of California's laws "is simply not true." The governor told reporters that "nothing stops the federal government from coming to a jail. The release records are public. There's nothing stopping the sheriff [from] working with ICE."

The Justice Department is seeking a preliminary injunction against the three statutes, a process officials estimate could take a few weeks. Legal experts say the Trump administration's track record on sanctuary cities doesn't bode well for the coming legal fight.

"With one exception, every court decision on this has gone against the administration," said Ilya Somin, a professor at George Mason University's Antonin Scalia Law School. "I think that trend is likely to continue." 'Pure red meat'

The DOJ's lawsuit served to reignite a hot-button issue as the primary campaign season gets underway. It is likely to further turn California's Latinos against the Republican Party, a trend that began with mass protests against a 1994 GOP-backed immigration ballot initiative, Proposition 187.

But the state hasn't been in political play for nearly a decade. Trump's true aim, his critics argue, is to vilify California in order to fire up his own nativist supporters.

"This is pure red meat for the base," Brown said.

Immigration hawks have spent years lambasting sanctuary jurisdictions. The debate gained national attention after the 2015 death of Kate Steinle, who was fatally shot in San Francisco by an undocumented criminal with multiple convictions and prior deportations who had previously been in local police custody.

When the man was acquitted of murder earlier this year, Trump took to Twitter to call the verdict "a complete travesty of justice."

Republicans in Congress have for years sought to force sanctuaries to comply with ICE by threatening to withhold certain federal funds, but have consistently fallen short

without substantial Democratic support. Last month, the Senate took up a proposal by Sen. Patrick J. Toomey that would authorize the government to block sanctuary jurisdictions from receiving economic development grants.

The Pennsylvania Republican's proposal fell six votes short, but it nonetheless exposed the vulnerability of Democratic senators running for re-election in states Trump won in 2016. Four of these Democrats — Debbie Stabenow of Michigan, Joe Donnelly of Indiana, Joe Manchin III of West Virginia and Claire McCaskill of Missouri — voted for the sanctuary proposal.

Even if Trump doesn't prevail in rolling back California's statutes, the lawsuit and continued threat of ICE raids are sure to play well with his supporters. Whether the administration wins in court is of little consequence in the political arena.

"If they lose these cases, they're not much worse off than they were before," Somin said. "It's politically advantageous even if they don't have much success with it."

Kate Ackley contributed to this report.

Border Fence Meets A Wall Of Skepticism In Tijuana, Where Residents Say U.S.-Mexico Ties Transcend Any Physical Barriers

By Richard Marosi

Los Angeles Times, March 12, 2018

After weeks of testing, the eight prototypes for President Trump's "big, beautiful" wall will share center stage on Tuesday with Trump during his first presidential visit to California.

As Trump inspects the prototypes and poses for photos along the border east of San Diego, he'll be just yards away from a Tijuana slum where people have formulated their own ideas about them.

The 30-foot structures — built with varying mixes of concrete and steel tubes — draw residents, tourists and even Tijuana police officers who pose for selfies in the Rancho Escondido neighborhood. They climb atop piles of rubber tires or tiptoe on dirt mounds for a peek over the 7-foot border fence into the testing site.

The towering wall segments will offer Trump a powerful platform as he pushes to secure \$25 billion for border security.

Frankie Contreras, 45, who has lived in the neighborhood for decades, said he prefers the symbolism of another imposing piece of infrastructure that will be hard to miss when the presidential entourage shows up: overhead power lines.

They link power plants in Tijuana and San Diego. Along with a nearby underground natural gas pipeline, they provide energy for millions of people in both countries. To residents

like Contreras, those are the kind of ties between the U.S. and Mexico that transcend any wall.

"We need each other no matter what happens," he said.

Trump is not expected to announce which of the prototypes will be used, but he may express a preference.

Either way, the visit is expected to generate demonstrations on both sides of the border. Security has been heightened with authorities in Tijuana and San Diego working together to safeguard the area.

Whichever wall is selected, it will not likely be erected in California, where barriers already line most of the border and where replacements, planned for this year, have different designs. The wall, according to the most recent proposed budget of the U.S. Customs and Border Protection, is slated for the Texas border with Mexico.

Federal authorities chose to build the prototypes in San Diego in part because of the region's easy access for teams of agents that have been testing each of the walls.

They have been assaulting the prototypes, using jackhammers, blow torches, ropes and other tools that test the walls' capacity to repel intruders.

From Rancho Escondido, the efforts seem misspent.

Border barriers have been part of the scenery here for years. There are two fences, bolstered by cameras and lighting that make the area among the most heavily fortified along the border.

Although Trump often portrays the border as chaotic and porous, the San Diego-Tijuana border was largely tamed long ago — and has become a model for effective border enforcement.

The double fencing lines most of the 14-mile border from the Pacific Ocean to Otay Mountain. Apprehensions of illegal crossers have dropped for years, and most smuggling organizations have moved to other, more remote areas.

Tijuana is among Mexico's most dangerous cities, but there is relatively little spillover violence. San Diego is among this country's safest biggest cities, with 34 homicides last year. Tijuana had 1,780.

The region does remain vulnerable to drug smuggling, but most of the illicit cargo is funneled through the region's two ports of entry, inside hidden compartments of vehicles.

A wall won't do anything to stop that, said Marco Zamora, a U.S. citizen who has lived in Rancho Escondido for 20 years. Zamora crosses the border for work every day and said customs inspectors seem demoralized and overworked.

"They're not checking much these days," he said. "They don't seem very energized."

From Zamora's two-story house, the border is a two-block stretch of deeply rutted dirt roads lined with shanties and junkyards. Roosters wake the neighborhood, and ice cream vendors push their carts around garbage piles and stolen cars stripped clean of doors and seats.

But Trump's vision, they say, is excessive, not so much an enforcement tool as a symbol of hostility toward Mexico.

Jesus Martinez, a U.S. citizen from Bakersfield who was visiting the area last week to scout warehouse locations for his furniture business, said the size of the wall prototypes were overwhelming.

He voted for Trump, but said he disagreed on the necessity of the wall. "He's not very diplomatic," Martinez said after studying the barriers through a hole in the existing border fence.

Some residents, long familiar with the tactics of smugglers, have been doing their own armchair analyses of the wall prototypes. The steel could be cut through with blow torches within 15 minutes, some said. Though a solid concrete wall would present more challenges, it would allow smugglers to operate without being seen by border agents.

And then there are always tunnels. A warehouse district just a few miles west is the busiest tunneling area on the border.

"Chapo is the one who showed us how to get across, just go under," said Contreras, referring to Joaquin "El Chapo" Guzman, the drug cartel crime boss, currently in custody in the U.S., who is said to have built numerous drug tunnels.

Barriers weren't the only infrastructure built along this stretch of the frontier. Over the years, utility companies linked up power plants in Tijuana and San Diego, running electrical wires slung from giant towers and a natural gas pipeline.

In a debate so dominated by symbols, to many of Rancho Escondido's residents the image of two countries working to heat and light homes will always be the more potent one.

"You can build a wall to the heavens," said Gilberto Alvarez, 42, "but Mexico and the U.S. will always be joined together."

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San Diego's Smart Border Efforts Deserve Trump's Attention

By Steve Williams

[San Diego Union-Tribune](#), March 12, 2018

We welcome President Donald Trump to the San Diego-Tijuana border region. Beyond NAFTA, DACA and "sanctuary laws," there is a narrative rarely addressed in national media, let alone the Beltway. It is one that advances the idea of a "smart border."

We are a \$230 billion economy of 5 million residents and 2 million employees. We represent 40 percent of the U.S. and Mexico southern border population and are the busiest land border crossing in our hemisphere, with 120,000 vehicles, 63,000 pedestrians and 7,000 trucks crossing back

and forth every day. There are 600 world-class export manufacturing plants in Tijuana; \$42 billion worth of goods are traded at Otay Mesa each year.

Rather than building higher walls, we promote the coexistence of security and trade by using more sophisticated technologies to detect and interdict unauthorized entries and by reducing wait times at our ports to spur commerce and trade.

Critical to our success is a smooth flow of upstanding people, authorized vehicles and legitimate cargo. Although our prosperity is significantly tied to border flows, border wait times have not kept pace with our growth. Traffic congestion and delays cost our binational economy an estimated \$6 billion annually in gross output and 51,000 jobs. Our hemisphere's busiest border crossing is "dumb" and slow when what is needed is a "smart" border.

We have a management challenge. Historically, the changes we make to improve our crossings are haphazard and the infrequent ones that are well-planned (e.g., San Ysidro Port of Entry's \$750 million modernization) can take many years to happen. Better planning and processes, smarter systems and more advanced technologies coupled with more robust private enterprise participation and better collaboration with Mexico are required.

Coming from private enterprise, President Trump will appreciate two examples of how private money supports better flows at our border: CBX, the recently built privately owned cross-border pedestrian terminal and bridge that takes air travelers from the U.S. to the Tijuana airport and back in 10 minutes over an 400-foot walkway, had nearly 2 million passengers last year. Baja Rail, a Baja California company, recently rehabilitated the Mexican portion of the old Spreckels railway and will soon do the same with the U.S. segment, giving our export manufacturing industry a new alternative for freight movement to the East Coast of the United States.

If anyone in the current administration knows our region's challenges and capabilities, it is Peter Navarro, a homegrown talent. We welcome working with him and the Trump administration to find better ways to improve our ports and the flow of legitimate travel and commerce while implementing the most effective security measures.

There is no one better for a safe yet "frictionless" border than those who live here. Border residents' knowledge and experiences of what actually works should drive national policy on secure and smart borders.

Opinion: Once Again On Immigration, A Victory For The All-Or-Nothings

By Theresa Cardinal Brown

[Roll Call \(DC\)](#), March 12, 2018

When President Donald Trump travels to California later this month to view the prototype designs for a new

border wall, perhaps he will take a moment to think about what could have been. Because as things stand, those eight 30-foot-long samples are the only walls likely to be built.

Trump could have had his wall. He had numerous opportunities to get it, dating all the way back to the "Chuck and Nancy" deal last fall. All he had to do was agree to something he says he wants — a permanent replacement for the Deferred Action for Childhood Arrivals program he canceled in September.

There was fleeting hope that a temporary DACA extension and limited border wall funding could be included in the omnibus negotiations wrapping up by next week, but that deal, too, seems to have fallen by the wayside.

Trump, majorities in Congress, and the American people fully support a permanent DACA solution. So why have scores of so-called deadlines for action passed, with no likely deal on the horizon?

For one, with DACA tied up in the courts, Congress thinks the urgency is gone. I suspect DACA recipients would say otherwise: Once the courts rule, the program could be shut down immediately, throwing their lives into even more chaos. Even those who applied for an extension after the court ruling can't legally work, may have their schooling interrupted, and could face deportation proceedings while they wait, perhaps up to five months, for approval.

Watch: Trump — Democrats 'Nowhere to Be Found' On DACA

So here we stand, yet again, with attempts at an immigration deal failing to get enough votes, and Congress and the administration poised to do nothing more than point fingers at each other and argue that it's the other party's fault.

As Shakespeare said, "A plague o' both your houses!"

It frankly doesn't matter who gets the blame. If both sides had been willing to set aside some of what they said they most wanted, a deal could have been struck. If Trump had put off his changes to the legal immigration system — ending the Diversity Visa Program and curtailing family-sponsored immigration, the most controversial of his four "pillars" — he could have fixed DACA and had his wall. If Democrats and advocates had leaned into the border security issue earlier (knowing that it was a boondoggle), and perhaps committed to subsequent discussions of legal immigration changes, we could have seen a path to citizenship for many young people.

Or maybe not. That's because there is a small, but very vocal, political minority on both sides for whom doing nothing outweighs doing something. Their all-or-nothing wishes have been realized.

On one side are those who never supported "amnesty," and were only inclined to go along if they could get the significant reductions in immigration they really wanted. They also knew the only way to get those reductions, over the objections of Democrats and most Republicans, was to

attach them to DACA legislation. If that scuttled any agreement, they wouldn't have to hold their noses at amnesty, and would be no worse off. In fact, the failure of lawmakers to cut an admittedly hard deal gives these restrictionists the victory of keeping the status quo.

On the other side is the group for whom no deal is better than a "bad" deal — one that concedes to the enforcement demands of the other side while failing to protect everyone deemed deserving of benefit. But without enough compromise, no deal always wins.

This exact scenario has played out often over the last two decades. Yet Americans want our immigration system changed. Poll after poll shows a lot of support for a system that allows immigrants who want to work in the United States to stay while ensuring that more abide by the rules than go around them.

Americans are willing to provide a path to legalization to those who have been here and want to "get right with the law." They want to see a new immigration system that helps America, helps immigrants become Americans, and reflects the respect for the law that is an American value.

But mostly, they are just sick and tired of absolutely nothing getting done. They don't care about who's to blame. They will blame both sides until people are able to come together, agree to set aside the most extreme positions, and get what the country needs: a bipartisan new start on immigration. The impetus is still there.

Theresa Cardinal Brown is BPC's director of immigration and cross-border policy. She served as a policy adviser at U.S. Customs and Border Protection and DHS under the Bush and Obama administrations, including as director of the Immigration Legislation Task Force in the DHS Office of Policy. She also was director of immigration and border policy at the U.S. Chamber of Commerce and associate director of business immigration advocacy at the American Immigration Lawyers Association.

The Bipartisan Policy Center is a D.C.-based think tank that actively promotes bipartisanship. BPC works to address the key challenges facing the nation through policy solutions that are the product of informed deliberations by former elected and appointed officials, business and labor leaders, and academics and advocates from both ends of the political spectrum. BPC is currently focused on health, energy, national security, the economy, financial regulatory reform, housing, immigration, infrastructure, and governance. Follow BPC on Twitter or Facebook.

Don't Forget: 'Dreamers' Are Being Bartered For A Wall

By Richard Cohen

[Washington Post](#), March 12, 2018

They left Hamburg on May 13, 1939, and reached Havana 14 days later. The ship's name was the St. Louis, and it held 937 passengers, most of them Jews fleeing Nazi Germany and hoping, while in Cuba, to be admitted to the United States. But the Cuban authorities barred all but a couple dozen of them, and so the ship sailed on, getting so close to America that passengers could see the lights of Miami. Still, the United States would not admit them, and so the St. Louis returned to Europe where, ultimately, 254 of the passengers died in the Holocaust. They were that era's "dreamers."

The dreamers of today are different. They are not in a life-or-death situation, and they are not unwelcome in the countries of their birth. Yet once again Washington is showing a mean hostility to immigrants — one so fervently held that it is blind to contradictions. It is willing to be morally wrong as long as it is legally right.

The dreamers of today are the approximately 700,000 immigrants who were brought to the United States as children. The largest number of them were around 3 when they came across the border — which, in case President Trump is reading, is a bit young to be a rapist or even a gang member. (Almost 5 percent were younger than 1.) These onetime kids are now anywhere from 16 to 35. They live all over the country, but the largest concentration is in California, the Los Angeles area, with Texas coming in second. The vast majority came from Mexico, with El Salvador a distant second and Venezuela bringing up the rear. (No one should have to live in Venezuela the way things are going there these days.)

Periodically, Congress makes an attempt to settle the status of these dreamers. (Their status is to be determined by legislation.) Periodically, also, Trump issues a statement either professing sympathy or hostility toward the dreamers. He has vowed to end the program that allows them to remain in this country or promised "to work something out that's going to make people happy and proud."

As is often the case with Trump, the victim here is himself. He is torn over the dreamers. Perplexed. Their predicament is a "very difficult thing" for him. "I love these kids. I love kids. I have kids and grandkids." By now, as you can tell, the hankie is soaked. The president is experiencing a rare bout of empathy. It is a dizzying experience, a kind of emotional vertigo. But he rights himself and later insists that the law is the law. Either make the kids legal or give them the boot.

Franklin D. Roosevelt, as it happens the last president from New York, was anguished over the plight of Europe's Jews. But in 1939 he had his eye on winning an unprecedented third term. He had told Americans in his 1933 inaugural address that "the only thing we have to fear is fear itself," but he himself feared American anti-Semitism and anti-immigrant sentiment exacerbated by the Depression's vast unemployment. It took him until 1944 to publicly denounce

the murder of Europe's Jews, and when passengers on the St. Louis cabled him pleading for admittance, he simply did not reply.

Roosevelt had to deal with a xenophobia that was not of his own making and the fear that the war he knew was coming would be characterized as one fought on behalf of Jews. Trump, in contrast, has taken the bellows of his ugly anti-immigrant rhetoric to the embers of American xenophobia and abetted a conflagration. He began his presidential campaign by denigrating Mexicans. "They are not our friend, believe me," he said. "They're bringing drugs. They're bringing crime. They're rapists." As recently as last week at his Pennsylvania rally, he mentioned the MS-13 gang on Long Island as if it were the consequence of a lax immigration policy and not an aberration. These are thugs, no doubt about it, but they should not be driving immigration policy.

It remains inconceivable that the Trump administration and a politically timid Congress will round up 700,000 or so otherwise ordinary Americans and deport them to the countries of their birth. In the meantime, though, the dreamers live with appropriate anxiety about their future. They are being held hostage for the wall that Trump wants built — a squalid deal in which human beings are bartered for an unnecessary barrier and, in the process, America sells its soul.

Secretary Of Homeland Security Visits San Diego

By Shannon Handy

XETV-TV San Diego, March 12, 2018

SAN DIEGO (NEWS 8) — A day before the President tours the border, a top member of his cabinet was in San Diego on Monday.

Secretary of Homeland Security Kirstjen Nielsen spent the morning at the U.S. Coast Guard base.

It was Nielsen's first visit to San Diego as Homeland Security Secretary. Not only did she speak to members of the Coast Guard, but she also went out on the water with them to see how they track down and stop illegal activity.

News 8 followed behind Nielsen as she got a first-hand look at the Coast Guard's maritime security response team — one of just two specialized units in the United States.

Known as MSRT they respond to cases involving drug smuggling and illegal immigration, which may be the main reason behind the secretary's last-minute visit.

It coincides with President Trump's planned tour of the border wall prototypes on Tuesday.

Prior to being on the water, Nielsen was on board a helicopter taking a look at the prototypes herself.

Following her aerial tour, Nielsen addressed hundreds of coast guard members saying her first priority as Homeland Security Secretary is border security.

"True border security involves a wall system, which of course includes the physical infrastructure, but also mission-ready agents, patrol roads, sensor technology and support resources," Nielsen said.

Nielsen told the crowd she's also focused on encountering terrorism, preparing for natural disasters and combating cyber threats.

"A cyber-attack could in fact, today, have catastrophic effects on public health, safety, national security and our democracy," Nielsen said.

She reiterated the importance of working together – that includes reaching across the aisle when it comes to immigration reform.

"That's why we're committed to working with Congress on both sides of the aisle," said Nielsen. "This should not be a political issue to find legislative solutions to existing laws that are incompatible with public safety."

The secretary spent the rest of her day meeting citizen immigration services. Tuesday, she will be with President Trump as he tours the border wall prototypes.

Secretary Of Homeland Security Tours Border Wall Prototypes

[KNSD-TV San Diego](#), March 12, 2018

A key member of President Donald Trump's national security team is already in San Diego.

Secretary of Homeland Security Kirstjen Nielsen arrived in San Diego Monday on a last-minute scheduled visit, on her way home from South Korea.

Secretary Nielsen spent the morning getting an aerial tour of the border wall prototypes before landing at the U.S. Coast Guard.

She addressed the members of the Coast Guard Monday, emphasizing her four priorities as DHS Secretary: border security, counterterrorism, increasing national resilience, and cybersecurity.

"While we've worked extraordinarily hard to raise the bar in security across the globe, we are constantly reminded we live in a very dangerous time and a dangerous world," Secretary Nielsen said.

Secretary Nielsen got a tour of some of San Diego's most important ports, by boat.

The Coast Guard's Maritime Security Response Team demonstrated maneuvers in the water that are used during large-scale anti-terrorism efforts.

This is Secretary Nielsen's first visit to San Diego since her confirmation in December 2017.

She will be touring the wall prototypes with President Trump tomorrow.

Secretary Of Homeland Security Visits Coast Guard Headquarters

[KSWB-TV San Diego](#), March 12, 2018

Homeland Security Secretary Kirstjen Nielsen visited Coast Guard Station San Diego a day before President Donald Trump was scheduled to visit the region.

Nielsen thanked Coast Guard members for their service along the border.

"Semper Paratus and thank you always," she said.

This was Nielsen's first trip to San Diego since being named the head of Homeland Security. The secretary viewed the prototype walls being built in Otay Mesa next to the US-Mexico border from above while flying in a Coast Guard Jayhawk helicopter.

After the border flight, Nielsen reviewed the Coast Guard's Fast Marine Response units in action as they sped around San Diego Bay in formation.

Secretary Nielsen will spend the night in San Diego and visit the border wall with President Trump on Tuesday after he arrives at about 11:30 a.m. at Marine Corps Air Station Miramar.

Homeland Security Secretary Meets With Coast Guard In San Diego

[KGTU-TV San Diego](#), March 12, 2018

Secretary of Homeland Security Kirstjen Nielsen visited San Diego Monday, making her first local stop since joining President Trump's cabinet in December.

Nielsen arrived in San Diego after a long flight from South Korea, where she helped represent the United States at the Paralympics. The trip also coincides with President Trump's arrival in San Diego Tuesday.

Nielsen spent most of her day with the Coast Guard. She took a helicopter ride for an aerial tour of the border wall prototype site, then gave a speech to the Coast Guardsman.

"True border security involves a wall system, which, of course, include the physical infrastructure, but also mission-ready agents," Nielsen said in her speech as she touched on the controversial issue of immigration.

Nielsen then boarded a Coast Guard response ship to watch a tactical demonstration put on by the Coast Guard's elite Maritime Security Response Team.

She will remain in San Diego to join President Trump for his ground tour of the border wall prototypes Tuesday.

Customs And Border Protection Details Reasons For San Diego Border Wall Testing

[KGTU-TV San Diego](#), March 12, 2018

SAN DIEGO (KGTU) – San Diego is playing a pivotal role as a testing ground for the future border wall while the region prepares for President Trump's visit Tuesday.

WHY SAN DIEGO?

The region, specifically Otay Mesa, was selected as a location for the eight prototypes because of site accessibility to construct and the ability to evaluate the wall as part of a larger, existing border infrastructure system, according to U.S. Customs and Border Protection spokesman Ralph DeSio.

San Diego County's value as a construction site was detailed in a presentation made by the Department of Homeland Security and obtained by NPR.

CBP officers can compare the performance of the prototypes to underperforming existing materials in the same location, according to the document. The prototypes can also be evaluated for the impact on operations in an existing enforcement zone.

The land where the prototypes are constructed is federally owned, making the project more affordable.

As far as the CBP is concerned, the proof of the border wall's success is in the pudding. A video made by the agency showed an 87 percent reduction in arrests at the border after the creation of a physical barrier.

FINANCIAL IMPACT OF THE BORDER WALL

San Diego had funds earmarked for border wall construction ahead of the prototype construction. The CBP allocated \$999,000 to replace the primary fence and replace the secondary fence with a wall in the 2017 fiscal year.

Despite the federal green light, the San Diego City Council formally opposed the project.

The group voted to support Councilmember Georgette Gómez's proposal to oppose the Border Wall Funding Act of 2017.

In her resolution, Gómez cited a San Diego Association of Governments and Caltrans study on the economic impacts of border delays on the cross-border economy. The study found the effects of border crossing delays cost \$7.2 billion in foregone gross output and more than 62,000 jobs in both the U.S. and Mexico economies in 2007.

"As a city that is invested in the binational economic development of our region, it is important to oppose the building of a wall and focus our resources in enhancing our border infrastructure to ease access of goods and people," Gómez wrote.

"The border wall is a huge mistake for our region economically and environmentally. I am happy the City Council voted to pass my resolution. Our tax dollars should be spent uplifting the quality of life for all San Diegans, and tackling our issues on road infrastructure, housing, and homelessness," she said.

For the immediate neighbors of the border wall prototypes, the initial impact has been positive.

Otay Pizza manager Wade Aljabi said he's had an increase in business from CBP officers and construction workers.

That might change tomorrow as President Trump's visit leads to road closures just east of his location in a strip mall at SR-905 and Siempre Viva Rd.

"We'll be open 7 to 7," Aljabi said.

Trump Plans To View Wall Prototypes. Here Are Some He Won't See.

By Elizabeth Williamson

New York Times, March 12, 2018

WASHINGTON — President Trump on Tuesday is to visit a barren stretch of scrubland in San Diego to view eight attempts at realizing his vision for a "big, beautiful wall." All the prototypes are big. None are beautiful.

The eight stolid slabs awaiting Mr. Trump inside the razor wire in the border neighborhood of Otay Mesa were chosen from numerous proposals (the Department of Homeland Security refused to say how many) submitted to the agency last year. In soliciting ideas, the department said that each prototype would be judged, along with its impenetrability, on "aesthetics and innovative design."

Innovation they got. Among the unsuccessful bidders was Clayton Industries, a Pittsburgh-based outfit that envisioned a 30-foot wall reinforced by sensors, an electrified chain-link fence and a railroad track dumping nuclear waste into a 100-foot deep moat. The waste is used as a power source.

"It wasn't a booby trap," said Chris Clayton, the company's president. "What I was trying to do was to consolidate all the nuclear waste dumps and cesspools that are littered throughout the U.S. Why put up a simple concrete wall across the border when you can serve a couple of other functions? To the general public it might seem a little wild, but I made it to the second round."

Other firms submitted concepts for walls topped by solar panels that would generate power, maybe even to sell, as a tricky way to get Mexico to pay for the wall. One company, National Consulting Service of National City, Calif., envisioned a wall topped by a monorail serving both nations, according to proposal information leaked to the San Diego Union-Tribune. The kicker: The train would feature "voice analysis technology to detect different emotional states of riders to possibly assist law enforcement."

Even further afield were ideas from architects, designers and artists. The idea of a government soliciting bids to build a physical barrier dividing nations ignited fraught conversations among many of them and led to some offbeat ideas. Not your typical government contractors, many did not bother to submit their proposals to Homeland Security but offered them up to the public as statements on the controversial structure. Some saw potential for creating a stirring monument. Others saw a chance to express their revulsion at the entire endeavor.

In the latter category is the "Prison Wall," a proposal for a 2,000-mile, vivid pink wall complex envisioned by Estudio 3.14, a design firm in Guadalajara, Mexico, and the Mamertine Group, a design lab at the University of Connecticut directed by Hassanaly Ladha. Leonardo Díaz Borioli, Estudio 3.14's creative director, rallied students from three Guadalajara architecture schools to come up with a design "inspired by Luis Barragán's pink walls that are emblematic of Mexico." (Mr. Barragán was a renowned 20th-century Mexican architect.)

"It also takes advantage of the tradition in architecture of megalomaniac wall building. Moreover, the wall is not only a wall," said Norberto Miranda, the firm's spokesman. "It is a prison where 11 million undocumented people will be processed, classified, indoctrinated and/or deported." There's also a shopping mall, "with a Macy's, in the Tijuana section," he added.

The project includes mock-ups of an advertising campaign for cheap Mexican labor to build the project, with the headline "You are wanted too!"

Since the pyramids, "architects have always designed for power, and architecture has the capacity to make visual any atrocity," Mr. Díaz Borioli said. "The moment we started to render it, we realized how absurd the whole idea is." After the firm placed its satirical proposal in a couple of design magazines, it circled the world. Videos juxtaposing the rose-colored renderings with Mr. Trump's pro-wall speeches have garnered hundreds of thousands of views. In Mexico, the reception was more muted, Mr. Díaz Borioli said: "It was a little bit too provocative."

The proposal was never a serious one. It's not possible to meet the Department of Homeland Security's "aesthetics" requirement anyway, Mr. Díaz Borioli said. "Infrastructure that has such a perverse objective is difficult to think of as aesthetic," he said. "I'm happy our proposal makes people laugh, because that is what we are left with now."

John Beckmann of the New York architecture and interior design studio Axis Mundi and an anonymous collective, Third Mind Foundation, sponsored an international competition to bring what they called "bold humanitarian solutions, creativity and innovation" to bear on border wall designs.

"I thought, 'If this thing is going to happen, why not try to seek visionary solutions for it?'" Mr. Beckmann said. "In my mind it was an opportunity to do a kind of monumental conceptual sculpture."

Two multiethnic teams tied for the \$5,000 first-place prize. The "Irrigation Wall" is the brainchild of Gautier Piechotta and Wu Di from Paris's École Spéciale d'Architecture. The structure incorporates an elaborate mechanism that draws water from the Gulf of Mexico, the Sea of Cortez and the Pacific Ocean, desalinates it and distributes it along the length of the border. It ignores Mr.

Trump's goal of "ending the illegal flow of drugs, cash, guns and people across our border."

Instead, the designers said, "possible benefits could include revegetation of the desert, creation of agricultural operations on either side of the channel and new bilateral treaty governing the distribution and use of the water between the two countries."

The second winner, "Inflatoborder," does away with the wall entirely as a "fetishized object," according to a proposal submitted by Michelle Stein, a designer based in Charlottesville, Va.; Shannon Ruhl and Donna Ryu, graduate students from the University of Virginia; and a Honduran architectural designer, Rosa Cristina Corrales Rodriguez.

The concept is for "a system of flexible bubbles that perform a variety of functions meant to bring communities on either side of the existing wall together," the proposal said. "Air pressure is adjusted according to need — creating a canopy, for instance, that shelters roadside markets where it runs through agricultural lands, or creating 'play area' enclosures for families and children in densely populated urban centers straddling the border." Try making that out of precast concrete.

Mr. Trump worked with the Department of Homeland Security from the beginning, and "provided D.H.S. explicit guidance on what type of wall that he wants," said Katie Waldman, a department spokeswoman.

During the campaign, Mr. Trump summed up his requirements: "It's going to be a real wall, it's going to be a high wall, it's going to be a beautiful wall, it's going to be a wall that works." But the wall won't be a "real wall" as much as a "border system" — part increased patrols, part monitoring devices, part lighting and part wall. The barriers Mr. Trump will visit on Tuesday would be built only in what are considered suitable areas, not along the entire 2,000-mile border.

Whether Congress will free up the more than \$20 billion that the department estimates the project will cost remains an open question.

Looking at photos of the eight prototypes, Mr. Beckmann said he couldn't imagine how Mr. Trump would choose. "We've reached new heights of absurdity," he said. "Pun intended."

Ahead Of Trump Wall Tour, Little Change On US-Mexico Border

By Elliot Spagat

Associated Press, March 12, 2018

CALEXICO, Calif. (AP) — The daily commute from Mexico to California farms is the same as it was before Donald Trump became president. Hundreds of Mexicans cross the border and line the sidewalks of Calexico's tiny downtown by 4 a.m., napping on cardboard sheets and

blankets or sipping coffee from a 24-hour doughnut shop until buses leave for the fields.

For decades, cross-border commuters have picked lettuce, carrots, broccoli, onions, cauliflower and other vegetables that make California's Imperial Valley "America's Salad Bowl" from December through March. As Trump visits the border Tuesday, the harvest is a reminder of how little has changed despite heated immigration rhetoric in Washington.

Trump will inspect eight prototypes for a future 30-foot border wall that were built in San Diego last fall. He made "a big, beautiful wall" a centerpiece of his campaign and said Mexico would pay for it.

But border barriers extend the same 654 miles (1,046 kilometers) they did under President Barack Obama and so far Trump hasn't gotten Mexico or Congress to pay for a new wall.

Trump also pledged to expand the Border Patrol by 5,000 agents, but staffing fell during his first year in office farther below a congressional mandate because the government has been unable to keep pace with attrition and retirements. There were 19,437 agents at the end of September, down from 19,828 a year earlier.

Tough talk on border and immigration policy from President Trump hasn't stopped the daily migration of hundreds of Mexican workers into California's Imperial Valley. Farmers there say the workers are vital to the region's vegetable harvest. (March 12)

In Tijuana, tens of thousands of commuters still line up weekday mornings for San Diego at the nation's busiest border crossing, some for jobs in landscaping, housekeeping, hotel maids and shipyard maintenance. The vast majority are U.S. citizens and legal residents or holders of "border crossing cards" that are given to millions of Mexicans in border areas for short visits. The border crossing cards do not include work authorization but some break the rules.

Even concern about Trump's threat to end the North American Free Trade Agreement is tempered by awareness that border economies have been integrated for decades. Mexican "maquiladora" plants, which assemble duty-free raw materials for export to the U.S., have made televisions, medical supplies and other goods since the 1960s.

"How do you separate twins that are joined at the hip?" said Paola Avila, chairwoman of the Border Trade Alliance, a group that includes local governments and business chambers. "Our business relationships will continue to grow regardless of what happens with NAFTA."

Workers in the Mexicali area rise about 1 a.m., carpool to the border crossing and wait about an hour to reach Calexico's portico-covered sidewalks by 4 a.m. Some beat the border bottleneck by crossing at midnight to sleep in their cars in Calexico, a city of 40,000 about 120 miles (192 kilometers) east of San Diego.

Fewer workers make the trek now than 20 and 30 years ago. But not because of Trump.

Steve Scaroni, one of Imperial Valley's largest labor contractors, blames the drop on lack of interest among younger Mexicans, which has forced him to rely increasingly on short-term farmworker visas known as H-2As.

"We have a saying that no one is raising their kids to be farmworkers," said Scaroni, 55, a third-generation grower and one of Imperial Valley's largest labor contractors. Last week, he had two or three buses of workers leaving Calexico before dawn, compared to 15 to 20 buses during the 1980s and 1990s.

Crop pickers at Scaroni's Fresh Harvest Inc. make \$13.18 an hour but H-2As bring his cost to \$20 to \$30 an hour because he must pay for round-trip transportation, sometimes to southern Mexico, and housing. The daily border commuters from Mexicali cost only \$16 to \$18 after overhead.

Scaroni's main objective is to expand the H-2A visa program, which covered about 165,000 workers in 2016. On his annual visit to Washington in February to meet members of Congress and other officials, he decided within two hours that nothing changed under Trump.

"Washington is not going to fix anything," he said. "You've got too many people – lobbyists, politicians, attorneys – who make money off the dysfunction. They make money off of not solving problems. They just keep talking about it."

Jose Angel Valenzuela, who owns a house in Mexicali and is working his second harvest in Imperial Valley, earns more picking cabbage in an hour than he did in a day at a factory in Mexico. He doesn't pay much attention to news and isn't following developments on the border wall.

"We're doing very well," he said as workers passed around beef tacos during a break. "We haven't seen any noticeable change."

Jack Vessey, whose family farms about 10,000 acres in Imperial Valley, relies on border commuters for about half of his workforce. Imperial has only 175,000 people and Mexicali has about 1 million, making Mexico an obvious labor pool.

Vessey, 42, said he has seen no change on the border and doesn't expect much. He figures 10 percent of Congress embraces open immigration policies, another 10 percent oppose them and the other 80 percent don't want to touch it because their voters are too divided.

"It's like banging your head against the wall," he said.

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Border Wall Would Pay For Itself By Cutting Welfare Use By Illegal Immigrants

By Will Racke

Daily Caller, March 12, 2018

President Donald Trump has repeatedly said Mexico would foot the bill for his proposed wall along the southwest border, but the barrier could end up paying for itself by saving the U.S. treasury billions in welfare payments.

Estimates for building a solid physical barrier along the U.S.-Mexico border range from \$18 to \$25 billion, depending on the type and distance of the wall. Once constructed, though, the barrier would save several times that amount by reducing the number of illegal border crossers who end up on welfare rolls, according to Steven Camarota, the research director at the Center for Immigration Studies.

"The wall could pay for itself even if it only modestly reduced illegal crossings and drug smuggling," he told the *New York Post*.

Camarota crunched the numbers and found that if the border wall cut an expected 1.7 million illegal crossings by 200,000 — about 12 percent — over a decade, it would pay for itself in fiscal savings from welfare, public education, tax credits and other benefits available to low-income, illegal immigrants from Mexico and Central America.

At the higher end of effectiveness, if a wall stopped 50 percent of those expected crossings in the next 10 years, it would save \$64 billion — nearly four times the cost of the wall — in welfare and social spending alone.

That's because, despite a prohibition on illegal immigrants using federal welfare, the majority of households headed by illegal immigrants are on welfare through their children. U.S. Census Bureau surveys show that about 62 percent of all illegal immigrant-headed households use at least one federal welfare program, according to a 2015 CIS report authored by Camarota.

Use of Medicaid is especially high — about half of all illegal-immigrant households use federal programs that pay for the hospital bills of poorer Americans. That figure jumps to 72 percent for illegal immigrant households with children.

Many illegal immigrants also receive refundable tax credits for their U.S.-born children because the IRS requires a filer only to show a taxpayer identification number to receive the child tax credit. That interpretation translates to a huge subsidy: In 2013, 4.4 million filers using a taxpayer identification number claimed child tax credits worth \$6 billion, according to a 2013 GAO report.

Some border security experts say access to welfare and tax credits is a powerful magnet for illegal immigration. A wall along the southwest border would go a long way toward deterring those looking to cross into the U.S. illegally to take advantage of welfare programs, explained Brandon Judd, president of the National Border Patrol Council.

"When you look at what a wall will do in allowing us to apprehend the vast majority of those individuals that are coming across the border, it will cut down on how much the

taxpayer burden will be, which then will go straight into funding the wall," he told Fox & Friends on Monday.

The Department of Homeland Security has not yet developed an effective way to measure precisely how effective walls are at countering illegal immigration, but previous examples of border barriers have proven to work where they have been built.

A 2006 Congressional Research Service analysis of the southern border found that a fence in the San Diego sector, combined with an increase in agents and other resources, caused apprehensions in the sector to decline by 76 percent over a 12-year period from 1992 to 2004. In El Paso, a two-story corrugated metal fence first erected under the Bush administration reduced illegal border crossings in the area by 89 percent from 2006 to 2012, reports the *New York Post*.

Walls Work, Trump Officials Say, But They're Not Sure To What Extent That's True

By Nick Miroff

Washington Post, March 11, 2018

More than a year after the government's top oversight body urged the Department of Homeland Security to develop a way to measure the effectiveness of fencing and barriers along the border with Mexico, DHS has no such tool ready, even as President Trump prepares to pick the winning designs for his \$18 billion border wall.

Trump officials in recent weeks have dismissed criticism of their border security plan with a well-established defensive principle and simple retort: "Walls work."

But a February 2017 report by the Government Accountability Office (GAO) found DHS has no way to measure how well they work, where they work best or whether less-expensive alternatives could be just as effective.

Despite the assumption that illegal traffic enters through areas where fencing is absent, the report identified several sectors where more arrests occur in locations that have existing barriers.

U.S. border agents collect "geotag" data, electronic markers that assign geographic locations, to map illegal crossings and arrests. But DHS has no means to gauge the extent to which those incursions are impeded by "tactical infrastructure," the report noted, undermining the agency's ability to avoid wasteful spending.

"An assessment of border fencing's contributions to border security operations could help position [U.S. Customs and Border Protection] to identify the cost effectiveness of border fencing compared to other assets the agency deploys," the report said.

DHS officials said last week they are working with the Johns Hopkins University Applied Physics Laboratory to develop such an evaluation system, and it may be ready later this year.

President Trump is moving forward anyway. His public statements have demonstrated a keen interest in the aesthetic properties of the wall, along with its height. His administration has budgeted \$1.6 billion for wall construction this year.

Trump is scheduled to travel to San Diego on Tuesday to view eight prototypes and likely announce one or more winning designs. The trip will be Trump's first as president to California, a state his administration is suing for refusing to assist with federal immigration enforcement.

Trump's wall-building plan — stalled in Congress — would spend \$18 billion over 10 years to add 316 miles of new barriers and replace aging fencing along another 407 miles.

The 30-foot steel and concrete prototypes showcased in San Diego are far taller and more formidable than anything in place along the border. They extend six feet underground to deter burrowing and feature an array of anti-climbing configurations. One is crenelated with metal spikes.

DHS officials say their testing teams found the structures exceedingly difficult to scale or break through. The prototypes cost as much as \$486,000 each to build, and DHS has not said if the \$18 billion overall cost projection is based on one or several of those designs.

Instead, DHS officials have defended the expenditure by pointing to major decreases in arrests for illegal crossings in areas where tougher fencing was installed. In a new promotional video titled "Walls Work," CBP said illegal traffic dropped 87 percent in San Diego after its two-layered barrier system was installed.

"Border walls have proven to be extremely effective in preventing the flow of drugs and illegal aliens across our borders," DHS Secretary Kirstjen Nielsen said in a statement this month, after a court victory allowing Homeland Security officials to move forward with fast-track construction plans. "Simply put — walls work," she said.

But when the independent, nonpartisan GAO launched its study in 2015, it determined that the efficacy of walls and fencing varies widely across the 2,000-mile border, depending on a range of factors that include topography, proximity to urban areas and the ancillary presence of tools such as cameras, sensors and enforcement agents.

GAO researchers analyzed the location of illegal entries between 2013 and 2015 and found sectors of the border in California, New Mexico and other areas where more arrests occurred in places that already have fencing. In southern Arizona, about half of the illegal "drive-throughs" by unauthorized vehicles occurred in places with barriers to prevent exactly that.

Some of the most robust fencing along the border has been installed in urban and semi-urban areas adjacent to U.S. border cities such as Calexico, Calif., Nogales, Ariz., and El Paso. But those who illegally cross the border sometimes

prefer those areas because they can quickly blend into urban surroundings if they manage to get through.

DHS officials recorded 9,287 breaches of border fencing between 2010 and 2015 in areas with "pedestrian" barriers that are designed to be more forbidding than "vehicle" fencing. Areas with older "legacy" fencing were nearly six times more likely to be breached, the GAO report noted, and presumably many of those sections will be first to be replaced by the taller and tougher ramparts on display in San Diego.

Tougher fortifications help channel illegal traffic toward more remote, isolated areas away from U.S. cities and highways, DHS officials say, giving agents more time to catch up to illegal entrants when ground sensors and aerial surveillance tools detect suspicious activity.

"Infrastructure on the U.S. side is a key factor that determines how easy it is to get from the border to being able to disappear into a vehicle or into a city, and that affects how much time we have to respond," DHS statistician Marc Rosenblum said.

Critics of the president's border security plans say their concerns have less to do with the physics of huge walls than with the fiscal prudence of building them at a time of ballooning deficits.

"We're spending money like a drunken sailor," said Sen. Thomas R. Carper (D-Del.), a former naval officer and one of the members of the Senate Homeland Security and Governmental Affairs Committee that commissioned the GAO report. "We cannot continue to waste money, so we need to find out what works and what doesn't."

Trump campaigned on a promise to build a border wall and oblige Mexico to pay for it. Top DHS officials in the Trump administration praise the proposal.

But before Trump's presidential run, Border Patrol agents and officials did not say they wanted a wall, Carper said. Instead, they have long emphasized a flexible "layered" approach combining barriers, technology and personnel in configurations that can adapt to changing security needs.

"It's no one thing," Carper said. "It's a combination."

In an interview, the head of the Border Patrol's Strategic Planning and Analysis Directorate, Benjamin "Carry" Huffman, said after a career in the agency he doesn't need a yardstick to know that walls and fencing are effective.

"Having done this for 33 years, I can tell you a wall is essential in gaining operational control capability," Huffman said. "And having worked the border with a wall and without it, I can say you want to work the border with it."

Look at San Diego, Huffman continued. "It's a pleasant place to be, one of the finest cities in America. In 1985 it was quite a different place. You had 1.6 million people coming across the southern border. . . . South San Diego was practically uninhabitable. Property values were in the tank," he said.

"Fast forward a few years and we started adding this infrastructure," Huffman continued, describing the addition of new primary fencing backed by another "secondary" fence with Border Patrol roadway in between, creating a no-man's land where illegal crossers could be trapped.

"We changed the whole environment in that area," said Huffman. "The U.S. government literally made millionaires and billionaires down there. They had property that was practically unusable, and it changed dramatically."

Last year the number of people arrested along the border with Mexico dropped to a 49-year low, and Trump has touted the decline as proof his border security strategies are working.

But illegal crossings have been falling for most of the past decade, and migration experts say tougher border security is only one of several factors. Birthrates in Mexico have plunged since the 1960s, leaving the country with far fewer unemployed young people, while the domestic labor demands of Mexican manufacturing have grown.

Today the majority of unauthorized border crossers are from Central America, not Mexico, including many families and unaccompanied minors who turn themselves in to U.S. agents to request asylum, citing threats of chronic gang violence back home.

Most of the Central American migrants cross the Rio Grande in South Texas. DHS officials have prioritized that area for a surge of new wall construction along the winding riverbanks.

DHS NEWS

DHS Creates Committee To Boost School Safety Efforts

Washington Examiner, March 12, 2018

The Department of Homeland Security on Monday announced the creation of a steering committee that will be tasked with finding ways to improve security in schools around the country.

DHS is already providing training on a range of topics, like security awareness, emergency planning, active shooter awareness, mass casualty incident response, and how to spot suspicious behavior. DHS Secretary Kirstjen Nielsen said the steering committee would make sure all relevant national security agencies are working with state and local officials to ensure school safety.

"While state and local partners have primary responsibility for the physical security at schools, through trainings, best practices guides, workshops, and tabletop exercises, we hope to improve awareness and foster a culture of preparedness. We are working with partners around the country to harden these vulnerable targets," DHS Secretary Kirstjen Nielsen said in a statement Monday

morning. "By ensuring administrators and stakeholders in the K-12 and higher education communities, teachers, parents, law enforcement, and first responders are part of this effort, we can better educate the entire community on threats to school safety."

The department is currently working with the FBI on a School Attack Research study that looks at specific incidents in which a current or former student attacked his or her school. The study's findings will be turned into a guide for school personnel, law enforcement, and other community officials that will help officials flag concerning behavior before the person can carry out an attack.

DHS will continue to offer "capacity" training, or courses that educate school officials on how to plan for emergencies, respond to mass casualty incidents, and handle suspicious behavior. The programs are available online, on-site at the Emergency Management Institute, and by select local officials.

In addition, DHS said local community leaders should take advantage of federal grant money that can go toward pre-attack planning and initial response efforts to incidents.

DHS touted a handful of sub-organizations that are available to work with local and state officials during this process, including the Hometown Security Program, Youth Preparedness Council, Protective Security Advisors, Homeland Security Academic Advisory Council, and Campus Resilience Program.

The department is also preparing to roll out a national public awareness campaign similar to the "See Something, Say Something" strategy. The new campaign is aimed at educating students, school staff, and other community members on how to warn law enforcement and intelligence officials of suspicious individuals.

"The public is often our greatest partner in identifying suspicious activity, and we are strengthening public awareness campaigns to encourage everyone—students, teachers, and their communities—to report suspicious school-related activity to local law enforcement," Nielsen said.

Department Of Homeland Security Committee Strives To Enhance Sch

By Zack Briggs

KVOA-TV Tucson (AZ), March 12, 2018

The Department of Homeland Security announced the creation of a new committee Monday to focus on ways of improving school safety across the nation.

DHS's amped-up efforts to protect schools from gun violence, comes in response to the high school shooting in Parkland, Florida, which left 17 people dead.

"No child should to worry about their safety when in school," said DHS Secretary Kirstjen Nielsen. "The Department's top priority is to keep the American people safe,

and we are closely examining ways to better protect our nation's students and schools from gun violence."

The committee will coordinate with first responders, politicians, educators and community members throughout the country on the issue of enhancing school safety.

Public awareness serves as a primary piece to the overall goal.

DHS is coming up with a campaign in which students, staff and communities are encouraged to report suspicious activity.

The Department is in the midst of devising an operational guide, which will give educators and law enforcement (among other entities), outlines procedures on creating threat assessment teams and forming management strategies for decreasing chances of targeted attack.

President Donald Trump has expressed desire to arm teachers and improve background checks for individuals purchasing guns.

To learn more about DHS's programs: <https://www.dhs.gov/news/2018/03/12/dhs-working-enhance-school-safety-increase-preparedness#>

BORDER SECURITY

U.S. May Lift Ban On Travelers From Chad, Tillerson Says

By Gardiner Harris

New York Times, March 12, 2018

ABUJA, Nigeria — The Trump administration might remove Chad from the list of countries whose citizens face severe restrictions on visiting the United States, Secretary of State Rex W. Tillerson said Monday on the last day of his African tour.

The decision could defuse the outrage and shock that followed the decision in September to include Chad on the travel restrictions list, which includes North Korea, Iran and Venezuela.

"First, I wanted to ensure that the people of Chad understand that they're welcome in the United States," Mr. Tillerson said, although in fact most Chadians now find it almost impossible to visit. "The steps that have been taken are necessary because of all the conflicts that exist on Chad's borders."

Chad's foreign minister, Mahamat Zene Cherif, called the country's placement on the list "an injustice done to Chad," and said that Chad's president, Idriss Déby, had "expressed his incomprehension" to Mr. Tillerson about the restrictions.

In President Trump's executive order, the White House praised Chad for being an important partner in counterterrorism operations in Africa, but it added that "Chad

does not adequately share public safety and terrorism-related information."

Mr. Tillerson said that Chad's efforts to strengthen its passport control and improve the sharing of information with the United States about potential terrorist threats might result in Chad's being removed from the list, adding, "We're hopeful that we can return things to normalization."

He did not offer a precise time frame, though, saying that a report would be completed by the end of the month and discussions at the White House would begin in April.

The visit to Chad, part of Mr. Tillerson's five-nation tour of Africa, was underwhelming because he got sick partway through, had a light schedule of events anyway and then decided to head back to Washington a day earlier than expected, cramming visits to Chad and Nigeria into a single day.

Mr. Tillerson decided to slice a day off the weeklong trip so that he could help plan a possible meeting between President Trump and the North Korean leader, Kim Jong-un.

His exhaustion quickly became evident as he tried to keep up his official schedule while participating in crucial phone calls with the White House on Mr. Trump's decision to negotiate directly with the North Korean leader — a decision that Mr. Trump appears to have made on the spur of the moment, taking both his aides and South Korean diplomats by surprise.

With much still unknown about the summit meeting, Mr. Tillerson said Monday during a news conference in Nigeria that planning was in "very early stages."

"We've not heard anything directly back from North Korea, although we expect to hear something directly from them," he said. "So I know those are all question that people are anxious to have answers to. I would say just remain patient and we'll see what happens."

Once the two sides begin talking, several steps will be needed to agree on the location and topic of talks, he said. And the administration may not announce the results of such talks too quickly, he said.

"I think it's going to be very important that those kinds of conversations are held quietly through the two parties," he said.

U.S. Could Lift Travel Ban On 'Important Partner' Chad: Tillerson

Reuters, March 12, 2018

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

Tillerson Visits Chad And Gets An Earful About US Travel Ban

By Josh Lederman

Associated Press, March 12, 2018

N'DJAMENA, Chad (AP) — On an unlikely visit to dusty and desolate Chad, Secretary of State Rex Tillerson on Monday told the African nation's citizens they're welcome in the United States. It wasn't enough to overcome a Trump administration travel ban that Chad's top diplomat declared an injustice.

Tillerson's message of growing U.S. cooperation with Chad, a key counterterrorism partner, was overshadowed by palpable hurt and resentment over Chad's position on an inglorious list that includes North Korea, Iran and Venezuela. Tillerson, who became the most senior U.S. official to set foot in Chad, expressed hope the restrictions will be lifted.

"The placement of Chad in this list was an injustice done to Chad," Foreign Minister Mahamat Zene Cherif said. He said Chadian President Idriss Deby had "expressed his incomprehension" to Tillerson about the restrictions.

In Trump's most recent set of travel restrictions issued in September, Chad landed on the visa ban list thanks to an office supply glitch that prevented the country from supplying Homeland Security officials with recent samples of its passports, The Associated Press has reported. There were other technicalities, too, including Chad's inability to adequately share public safety and terrorism-related information with U.S. officials who screen foreigners seeking visas to enter the U.S.

At the time, Trump national security adviser H.R. McMaster said Chad could be off the list "maybe in a couple of months." In December, a U.S. team traveled to Chad to work with local officials on outstanding problems. And in the months since, the U.S. has repeatedly praised Chad's efforts to improve its compliance with U.S. requirements.

The Supreme Court is expected to decide the legality of Trump's travel bans in the coming months. In December, the high court said the latest version of ban could be fully enforced while appeals make their way through the courts.

Questioned repeatedly by the local Chadian media about why it remains on the list, Tillerson said the visa restrictions were necessary "because of all the conflict that exists on Chad's borders," even as he gave the country credit for "many, many important positive steps" to comply. He said the United States later this month would prepare a report on Chad's progress that Trump would review in April.

"These steps I think are going to allow us to begin to normalize the travel relationship with Chad," Tillerson said. But, he added, "We have to wait for the final report."

Still, that's no reason why the two countries can't continue working closely together to fight growing threats to Africa's Sahel region posed by al-Qaida affiliates like Boko Haram and the newly designated West Africa wing of the Islamic State group, Tillerson and Chad's foreign minister said.

As the U.S. and its partners near a defeat of IS in Iraq and Syria, concern is mounting about the extremist group's spread to other parts of the world, including Africa and Southeast Asia. Chad, with its long border with Libya and proximity to Nigeria and Mali, is particularly affected by the threat of instability and extremism in the region.

In October, shortly after the U.S. slapped the visa restrictions in Chad, Tillerson's State Department announced a \$60 million pledge to a newly formed "G5 Sahel" regional security force that aims to counter IS and other extremist groups. The United States has also sought to assist another regional campaign, the Multinational Joint Task Force, that includes Chad, Nigeria, Benin, Cameroon and Niger.

The U.S. has been vocal in its praise for Chad's efforts on counterterrorism. The country is known to have one of the strongest and most effective militaries in Africa and has been a driving force behind the new G5 Sahel unit.

So Chad's leaders felt blindsided when Trump added their citizens to the travel restrictions list, lumping Chad together with U.S. enemies like North Korea. Especially bruising was that Trump's reasoning relied on a strict and literal interpretation of new Homeland Security requirements that seemed to elevate form over the substance of the U.S.-Chad relationship.

A key reason Chad landed on the list: It ran out of passport paper, and couldn't provide the U.S. Homeland Security Department with a recent sample of its passports. Although Chad offered pre-existing samples of its passports, it wasn't good enough for the U.S., Trump administration officials said at the time.

The Chad issue has emerged as a sore point between the State Department and Homeland Security, exposing fault lines within Trump's administration. Emphasizing the strategic U.S. interest in maintaining close ties, the State Department and the Pentagon didn't want Chad on the list in the first place and have argued for its removal. Homeland Security has insisted nothing can be done until the review of Chad's progress is complete.

Reach Josh Lederman on Twitter at <http://twitter.com/joshledermanAP>

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U.S. Customs And Border Protection Warns Consumers About Counterfeit Products

By William Axford

Houston Chronicle, March 12, 2018

Federal officials are warning international passengers to refrain from purchasing counterfeit goods while traveling

abroad, as the fake products may potentially have health risks and fund criminal enterprises.

U.S. Customs and Border Protection reports that, in conjunction with Immigration and Customs Enforcement, agents seized 34,143 shipments of goods that violated intellectual property rights for fiscal year 2017. That's an 8 percent increase over fiscal year 2016.

DANGEROUS AMERICA: The most dangerous U.S. city isn't Chicago – or any other big city you'd expect

The total estimated manufacturers' suggested retail price of the counterfeit goods would have been more than \$1.2 billion had the products been genuine.

U.S. Customs and Border Protection warns that counterfeit products can pose health and safety issues. As the agency puts it, "Counterfeiters don't care about your well-being. They just want to make a profit." The top three categories of counterfeit items that may pose health and safety risks were personal care, pharmaceuticals and consumer electronics.

BEWARE: State Department warns of dangerous Mexico spring break destinations

The top products seized by the agency are apparel and accessories (20 percent of counterfeit products recovered), consumer electronics (16 percent), footwear (12 percent), watches and jewelry (11 percent), and handbags and wallets (10 percent).

Agents also want to remind people that it's illegal to purchase counterfeit goods. "Bringing (counterfeit goods) into the United States may result in civil or criminal penalties," U.S. Customs and Border Protection said in a release. "Purchasing counterfeit goods supports criminal activities such as money laundering and trafficking in illegal guns and drugs. Remember, if it seems like a steal, it is."

Will Axford is a digital reporter for Chron.com. Read more of his stories here and follow him on Twitter.

Drug Dog Sniffs Out \$3.9M In Liquid Meth At Texas-Mexico Border

By Claire Z. Cardona

Dallas Morning News, March 12, 2018

Joep, a drug-sniffing dog, alerted U.S. Customs and Border Protection officers about 1 p.m. to the smell of narcotics coming from a 1989 Chevrolet 1500 pickup at the Paso Del Norte international crossing from Mexico, officials said.

Officers working at the El Paso port of entry found six containers in the gas compartment that had a total of 164.5 pounds of liquid meth. The drugs have a street value of about \$3,948,000, officials said.

Former Texas teacher arrested at border on charge of improper relationship with student

"Smugglers spent considerable time and effort to conceal this liquid meth load," Beverly Good, customs director of the El Paso Port said in a written statement.

The driver, a 37-year-old man from Hermosillo, Sonora, in Mexico was arrested. He was turned over to special agents with Homeland Security Investigations to face charges, officials said.

AVIATION SECURITY

Trump Budget Calls For CT Scanners To Check Carry-on Luggage – Possibly Cutting Airport Wait Times

AviationPros, March 12, 2018

March 10--President Trump's budget for fiscal year 2019 has yet to win congressional approval but one of the president's top security chiefs already is touting a portion of the spending plan that could speed up airport screening across the country.

At a conference on security this week, Transportation Security Administration Administrator David Pekoske praised a budget request to spend nearly \$71 million to purchase 145 new airport scanners that rely on computed tomography to check carry-on bags.

Computed tomography scanners, also known as CT scanners, have long been used for medical imaging and also are installed at airports to screen checked luggage. But they have only recently been scaled down to a size that can be used for carry-on luggage.

During a speech at the George Washington University Center for Cyber and Homeland Security, Pekoske said the scanner can view the contents of a bag in three dimensions, allowing security officers to flip the image on the screen 360 degrees.

"This CT technology goes from a two-dimensional view to a three-dimensional view so the officers can move [the image] around and they can slice it," he said. "You are going to get a much better view."

The technology could speed up the screening process by allowing passengers to leave all items, including laptop computers and liquids, in the bag. Testing on carry-on luggage has already begun.

"I'm really excited about that program and I think it's going to make a huge difference at our checkpoints," Pekoske said.

But to help pay for the new technology, the proposed budget calls for raising the passenger security fee charged to all fliers by \$1 per one-way trip next year and \$1.65 in 2020, raising the total fee in 2020 to \$8.25 per one-way ticket.

The same budget proposal calls for a nearly \$2 increase to two separate fees charged by U.S. Customs and

Border Protection on travelers entering the country via boat or airplane.

Questions For TSA After Reports Of Laptop And Phone Searches On Domestic Flights

Exclusive: growing number of reports raises concerns US government may be increasing surveillance and privacy violations at airports

By Sam Levin

The Guardian (UK), March 12, 2018

There are a growing number of reports of the Transportation Security Administration (TSA) searching the electronic devices of passengers on domestic flights in the US, according to the American Civil Liberties Union (ACLU), which has sued the federal agency for records.

The ACLU Foundation of Northern California filed a lawsuit against the TSA on Monday demanding that the government disclose its policies for searching the computers and cellphones of domestic travelers, arguing that anecdotal accounts have raised concerns about potential privacy invasions.

"We've received reports of passengers on purely domestic flights having their phones and laptops searched, and the takeaway is that TSA has been taking these items from people without providing any reason why," the staff attorney Vasudha Talla told the Guardian. "The search of an electronic device has the potential to be highly invasive and cover the most personal details about a person."

A TSA spokesman, Matt Leas, declined to comment on the lawsuit but said: "TSA does not search the contents of electronic devices."

Over the past year, civil liberties groups have repeatedly raised concerns about US border agents expanding the invasive searches of international travelers' phones. Some travelers reported authorities demanding they unlock their devices and allow officials to review text messages, social media accounts, photos and other private information – without warrants or reasonable suspicion. Now, there are questions about whether similar practices could be happening for passengers traveling within the US, raising fears that the government may be increasing surveillance and privacy violations at airports.

"It speaks to a growing attempt by the government to investigate individuals not based on probable cause or reasonable suspicion, but perhaps based on impermissible factors," said Talla.

The ACLU of Northern California had not previously received reports of these kinds of domestic searches, but recently learned of a handful of cases, said Talla, who said the ACLU did not have specific data to share.

There are no clear patterns in the searches that people have described to the ACLU, though in each case, the TSA

has not explained its justification to passengers, who have typically experienced the searches while going through security before boarding flights, Talla said. The ACLU in California has not heard of specific cases of the TSA requiring domestic fliers to unlock their devices, but last year, numerous reports emerged that Customs and Border Protection (CBP) would not let travelers enter the US without granting the agents access to devices.

When devices are unlocked, "they are really able to access a person's entire life that is on the phone as well as using the device to access what is on the cloud", Talla said.

One woman who shared her story with the ACLU told the Guardian that in the last year, she had twice had her electronics searched while flying within California. The 64-year-old, who works in the not-for-profit sector and requested anonymity for fear that she could face further scrutiny from TSA, said that on one occasion last year, TSA agents pulled her aside to pat her down multiple times and eventually asked to see both her iPhones – a work and personal one.

The agents did not ask her to unlock the phones, but took them for at least 10 minutes out of her view, she said, adding that she quickly became distraught.

"I no longer had my phones, so there was no one I could contact," she said, adding, "It just feels like an invasion of privacy, especially when they are not telling you what the problem is."

The woman said on a recent trip, the TSA also briefly took her laptop, which was password protected.

"If somebody is suspecting you of doing something wrong or some kind of crime, you should be told what it is. You should be able to defend yourself," she added.

Under Donald Trump, Border Patrol has escalated its searches in areas far from the border. CBP has also claimed it has the authority to conduct warrantless searches of electronic devices at international border crossings, without probable cause, sparking an ACLU challenge.

In 2015, CBP conducted 5,000 searches of electronic devices in airports – a number that increased to 30,000 searches last year, the ACLU noted.

In October 2017, the TSA announced it would be heightening screening procedures of domestic passengers' devices, including tablets and e-readers, but it has not released any policies or procedures governing these searches, the ACLU said.

The ACLU said it had received no response to its public records requests sent in December 2017, forcing the group to file the lawsuit, which is seeking fairly basic policy documents.

Leas said he could not comment on whether there was a formal TSA policy for searches of electronics.

Talla said: "These are materials that should not be terribly difficult to track down," adding: "We're just not clear what they're doing and why they're doing it."

If you have stories of government searches of electronic devices at airports, contact sam.levin@theguardian.com

ACLU Sues TSA Over Electronic Device Searches

By Megan Rose Dickey

[TechCrunch](#), March 12, 2018

The American Civil Liberties Union of Northern California has filed a Freedom of Information Act lawsuit against the Transportation Security Administration over its alleged practices of searching the electronic devices of passengers traveling on domestic flights.

"The federal government's policies on searching the phones, laptops, and tablets of domestic air passengers remain shrouded in secrecy," ACLU Foundation of Northern California attorney Vasudha Talla said in a blog post.

The lawsuit, which is directed toward the TSA field offices in San Francisco and its headquarters in Arlington, Virginia, specifically asks the TSA to hand over records related to its policies, procedures and/or protocols pertaining to the search of electronic devices.

This lawsuit comes after a number of reports came in pertaining to the searches of electronic devices of passengers traveling domestically. The ACLU also wants to know what equipment the TSA uses to search, examine and extract any data from passengers' devices, as well as what kind of training TSA officers receive around screening and searching the devices.

"TSA is searching the electronic devices of domestic passengers, but without offering any reason for the search," Talla added. "We don't know why the government is singling out some passengers, and we don't know what exactly TSA is searching on the devices. Our phones and laptops contain very personal information, and the federal government should not be digging through our digital data without a warrant."

The ACLU says it first filed FOIA requests back in December, but TSA "subsequently improperly withheld the requested records," the ACLU wrote in a blog post today.

Although the TSA did announce heightened screening procedures in October 2017, it did not provide any information about its policies or procedures. TSA does, however, have public policies pertaining to the search and seizure of electronic devices at the border and during international trips. That practice, however, is also being challenged by the ACLU in court.

I've reached out to the TSA and will update this story if I hear back.

TSA 'Fast-track' Hiring Event At PDX For Security Officers

[KGW-TV Portland \(OR\)](#), March 12, 2018

PORTLAND, Ore. — The Transportation Security Administration is holding a fast-track hiring event Tuesday for full- and part-time officers to work at Portland International Airport.

The event is located at the Sheraton Portland Airport Hotel. Information sessions will begin at 8 a.m., 10:30 a.m., 1 p.m. and 3:30 p.m.

Applicants will need to bring two forms of federal identification.

Starting pay for a transportation security officer at PDX is \$16.60 per hour.

During each session, TSA officials will discuss an officer's duties and the application process. They will also discuss benefits.

Attendees will be able to apply for the positions at the hotel. Following the information sessions, people who are interested will be able to take a computer-based aptitude test, participate in an interview, and schedule a drug screening and medical exam.

Rapper Juelz Santana To Appear In Court Monday Afternoon On Weapons, Drug Charges

By Kaitlyn Kanzler, Keldy Ortiz And Abbott Koloff

[USA Today](#), March 12, 2018

Rapper Juelz Santana turned himself into Port Authority Police at about 1 a.m. Monday after fleeing Newark Liberty Airport on Friday after a gun was allegedly found in his carry on.

Santana, whose birth name is LaRon James, is facing weapons and drug charges as well as a unspecified warrant. He is expected to appear Monday at 2 p.m. in federal court in Newark, the US Attorney General's office said.

In an email, the Transportation Security Administration said one of its officers "froze the bag safely inside the X-Ray tunnel" after spotting the gun during routine screening.

"Upon our discovery of the firearm, the individual left the checkpoint and went back into the public area," leaving the carry-on bag containing the gun at the checkpoint, the TSA said in the email.

The Port Authority issued a statement saying that "a passenger walked out the exit of the C-1 security checkpoint at Newark Airport" on Friday night, leaving behind two bags. They said authorities recovered a loaded Derringer .38-caliber handgun and that the suspect "is believed to have left Newark Airport by taxicab."

Santana has been convicted of three indictable offenses from three different incidents in 2011, according to court records. These convictions make it illegal for him to be in possession of a gun.

IMMIGRATION POLICY

Immigrants Sue US Over End To Temporary Protected Status

Associated Press, March 12, 2018

SAN FRANCISCO (AP) – The Trump administration's decision to end a program that lets immigrants from four countries live and work legally in the U.S. was motivated by racism and leaves the immigrants' American born children with an "impossible choice," according to a federal lawsuit filed on Monday.

Nine immigrants and five children filed the suit in federal court in San Francisco to reinstate temporary protected status for people from El Salvador, Haiti, Nicaragua and Sudan.

The status is granted to countries ravaged by natural disasters or war. It lets citizens of those countries remain in the U.S. until the situation improves back home.

The lawsuit – at least the third challenging the administration's decision to end temporary protected status – cites President Donald Trump's vulgar language during a meeting in January to describe African countries.

"They did it because of xenophobia, and we need to make sure that we say it loudly so that everyone knows," said Martha Arevalo, executive director of the immigrant advocacy group, Central American Resource Center.

Arevalo spoke at a rally to announce the lawsuit outside the federal courthouse in San Francisco that was attended by some of the plaintiffs and dozens of demonstrators, some carrying signs that read, "Let Our People Stay."

One of the plaintiffs, Cristina Morales, said she came to the U.S. in 1993 at the age of 12 after fleeing El Salvador to escape domestic violence. She received temporary protected status in 2001 and now works as an after-school teacher in the San Francisco Bay Area.

She was accompanied at the rally by her 14-year-old daughter, Crista Ramos, who along with her 11-year-old son, Diego Ramos, are U.S. citizens.

"I don't want the government to split my family and to lose my home, my friends and the opportunity for a good education," Crista said.

Morales, 37, her voice quivering with emotion, said she has nothing to go back to in El Salvador.

"If I pay taxes, health insurance, my house and the education of my children, what I have done wrong," she said.

The lawsuit names the U.S. Department of Homeland Security as a defendant. The department declined to comment on pending litigation.

More than 200,000 immigrants could face deportation because of the change in policy, and they have more than 200,000 American children who risk being uprooted from their communities and schools, according to plaintiffs in the case

filed by the American Civil Liberties Union of Southern California and other immigrant advocates.

The children face the "impossible choice" of leaving their country with their parents or staying without them, according to the suit.

"These American children should not have to choose between their country and their family," Ahilan Arulanantham, advocacy and legal director of the ACLU of Southern California, said in a statement.

It's the latest lawsuit filed against the Trump administration over its crackdown on immigration. A case filed last month by Haitian and Salvadoran immigrants in Massachusetts also alleges the decision to end temporary protected status was racially motivated. The NAACP has filed a separate lawsuit in Maryland on behalf of Haitian immigrants who received temporary protected status.

The program was created for humanitarian reasons, and the status can be renewed by the U.S. government following an evaluation.

El Salvador was designated for the program in 2001 after an earthquake and the country's status was repeatedly renewed. The Trump administration announced in January that the program would expire for El Salvador in September 2019.

Homeland Security Secretary Kirstjen Nielsen concluded that El Salvador had received significant international aid to recover from the earthquake, and homes, schools and hospitals there had been rebuilt.

The Trump administration has ended the program for the other three countries as well.

The lawsuit in California alleges that the U.S. narrowed its criteria for determining whether countries qualified for temporary protected status and is violating the constitutional rights of people with temporary protected status and their U.S. citizen children.

The lawsuit seeks a court order to reinstate temporary protected status for people from the four countries, but it also proposes an alternative that would protect recipients with school-aged U.S. citizen children for as long as the children remain between five and 18 years old.

Taxin reported from Santa Ana, California.

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Trump's Decision To Deport 200,000 To His 'Shithole Countries' Challenged In Lawsuit

Administration recently terminated temporary protected status for all individuals from El Salvador, Haiti, Nicaragua and Sudan

By David Smith In Washington

[The Guardian \(UK\)](#), March 12, 2018

A lawsuit is being filed on Monday to overturn Donald Trump's decision to end immigration protections for more than 200,000 people from four Central American and African nations the president reportedly called "shithole countries".

The legal action is the first to challenge the terminations on behalf of the American children of temporary protected status (TPS) holders, and the first to challenge all four TPS terminations imposed by the White House.

TPS is an immigration status granted to certain countries experiencing dire conditions such as an armed conflict, epidemic or natural disaster, and protects individuals from deportation and authorizes them to work in America for extended periods.

But the Trump administration recently adopted a far narrower interpretation of the federal law governing TPS, then used it to terminate TPS status for all individuals from El Salvador, Haiti, Nicaragua and Sudan.

Salvadorans make up about two thirds of the total beneficiaries. In January, the Department of Homeland Security said it cancelled TPS for them because the dangerous conditions created by earthquakes in 2001, which killed more than a thousand people, no longer exist. The country has rebuilt from the damage but continues to suffer drought, gang violence and economic strife.

Orlando Zepeda, 51, a father of two and member of the National TPS Alliance, a coalition established and led by TPS holders, said: "I have lived here almost twice as long as I ever lived in El Salvador. My home and family are here. The decision to end TPS for El Salvador and other countries was devastating. Today we join together to say that it was also illegal."

Many of the TPS-holders have resided in the US for 20 or more years, but will be forced to leave the country if the administration's new policy remains in effect. Tens of thousands of US citizen children will then be forced to either separate from their parents or leave the only country they have ever known.

The lawsuit is brought by nine people with TPS rights and five US citizen children of TPS holders. It will be filed in US district court in San Francisco by the ACLU Foundation of Southern California, the National Day Laborer Organizing Network (NDLON) and the law firm of Sidley Austin.

Ahilan Arulanantham, advocacy and legal director of the ACLU of Southern California, said: "These American children should not have to choose between their country and their family."

A draft complaint seen by the Guardian makes the argument that the "new rule violates the constitutional rights

of school-age United States citizen children of TPS holders, by presenting them with an impossible choice: they must either leave their country or live without their parents."

The complaint also contends that the administration's restrictive view of the TPS laws was unconstitutional as it was adopted to further the administration's anti-immigrant, white supremacist agenda. Earlier this year, during a negotiation over the fate of people who have TPS status, Trump allegedly referred to the affected nations as "shithole countries".

Emi MacLean, staff attorney for NDLON, said: "With the stroke of a pen, this administration upended the lives of hundreds of thousands of people lawfully residing in the United States for years and sometimes decades. But in terminating TPS in the way that it did, this administration was exercising authority it did not have."

The plaintiffs are members of organisations fighting to defend TPS including the National TPS Alliance, Carecen-Los Angeles, the International Union of Painters and Allied Trades (IUPAT), Unite-Here, and African Communities Together.

East Bay Eighth-grader Is Face Of Suit Filed Monday Against Trump Deportation Plans

By Bob Egelko

[San Francisco Chronicle](#), March 13, 2018

A lawsuit filed in San Francisco on Monday challenged the Trump administration's plan to deport more than 200,000 people from El Salvador, Haiti, Nicaragua and Sudan in the U.S. after disasters in their homelands, arguing that the decision was motivated by racism and would coldheartedly tear parents from their children.

"With the stroke of a pen, this administration upended the lives of hundreds of thousands of people lawfully residing in the United States for years and sometimes decades," said Emi MacLean, a lawyer for the National Day Laborer Organizing Network, which filed the federal court suit with the American Civil Liberties Union and private attorneys.

As evidence of the administration's motives, the lawyers cited President Trump's vulgar insult to African nations and Haiti at the White House meeting in January and his evidence-free assertion in June 2017 that Haitian immigrants "all have AIDS."

They are contesting the administration's decision to revoke a program called Temporary Protected Status, established by a 1990 law that allowed people fleeing catastrophic conditions in their native countries to live and work in the U.S. under permits that have been renewed every 18 months.

The largest group, 195,000 people, are from El Salvador, whose residents were granted U.S. protection after a series of earthquakes in 2001. About 46,000 Haitians were granted protected status after a 2010 earthquake, 2,550

Nicaraguans were admitted after a 1999 hurricane, and 1,040 Sudanese gained protection after fleeing their country's civil war in 1997.

The lead plaintiff in the suit is 14-year-old Crista Ramos, who was born in Marin County and is an eighth-grader living in San Pablo. Her mother, Cristina Morales, 37, also a plaintiff, came to the U.S. in 1993 with her mother, who was fleeing domestic violence in El Salvador, and was granted protected status in 2001. Cristina Morales runs the extended care program at the school her daughter attends.

Overall, more than 400,000 people from 10 nations are living in the U.S. under Temporary Protected Status. The Trump administration's revocations have prompted other lawsuits, but this is the first to challenge the withdrawals for all four countries.

Past administrations of both parties have reapproved protections for nations on the list, citing new dangers and hardships in those countries. But the Trump administration reversed course last year when its Homeland Security secretaries — John Kelly, then Elaine Duke and now Kirstjen Nielsen — said the protections should be withdrawn, and the foreigners deported, once the original disaster and problems related to it had ended.

They declared that protected status for Sudan would end in November 2018, for Nicaragua in January 2019, for Haiti in July 2019 and for El Salvador in September 2019.

Such a "sudden and unexplained departure from decades of decision-making practices" violates U.S. law and the rights of the entrants who rely on it, the suit said.

It also argued that the action was an unconstitutional expression of "the Trump administration's repeatedly expressed racism toward non-white, non-European people from other countries."

Trump uttered his slur of Haiti and African nations while discussing the temporary-protection program with lawmakers, a week before his administration revoked protected status for Haitians, the suit said. It also cited the president's comparison of immigrants to snakes and his reported prediction that Nigerians would never "go back to their huts" if they were allowed to enter the United States.

In addition to violating the rights of adults whose protections would be rescinded, the suit said, revocation would also intrude on the rights of tens of thousands of children born in the U.S. who would have to choose between leaving for countries most of them have never seen or separating from their parents.

If the Trump administration is allowed to remove protected status for entrants from the four nations, the suit argued, the courts must at least continue protections for parents whose U.S. citizen children are school-aged, between 5 and 18.

The Department of Homeland Security declined to comment on the suit.

Bay Area Families 'Terrified' Of Returning To El Salvador After Government Ends Relief Program

By Laura Waxmann

San Francisco Examiner, March 12, 2018

Bay Area families and immigrant rights advocates rallied around the federal government's decision Monday to terminate a relief program that for almost two decades has allowed more than 200,000 immigrants from El Salvador to live and work in the U.S.

Along with the program's repeal, the U.S. Department of Homeland Security announced that Salvadoran Temporary Protected Status (TPS) beneficiaries will have until Sept. 9, 2019 to either adjust their status if eligible, make plans to return to El Salvador, or face deportation.

"It's shocking news that we kind of expected, but now that it's official, it hurts," said Ramon Cardona, director of the East Bay-based Centro Latino Cuzcatlan, at a news conference held by the Bay Area Coalition to Save TPS in San Francisco hours after the repeal was announced.

Immigrants from Haiti and Nicaragua are also facing the end of their TPS designations, which the federal government repealed last year.

Granted to countries experiencing humanitarian crises, the U.S. designated El Salvador as a TPS recipient following a series of devastating earthquakes in 2001. Previously, Salvadoran TPS beneficiaries could work and reside in the U.S. legally, as long as they paid to renew their status and work permits every 18 months for some \$495 — but that will change in 2019.

According a statement from DHS, the federal government has determined that 17 years after earthquakes displaced thousands, the country no longer warrants the protected status.

But Cordona called this determination "a lie" and deemed the decision to send "tens of thousands of families" back to a country that continues to suffer from violence and poverty, the "premise of a humanitarian crisis" in El Salvador.

"There is no way that a poor country with high levels of unemployment and one of the highest levels of violence affecting any nation in Latin America, is going to be able to integrate in a normal fashion," he said.

The announcement came as a blow to many Salvadoran nationals like Yesenia Ruiz, a mother of three, for whom returning has not been an option for more than 20 years.

Ruiz said she worries most for her 18-year-old son, who was born in El Salvador but immigrated to San Francisco as a child and is not yet a U.S. citizen.

"For him it will be dangerous...to go back and be a youth susceptible to the violence in El Salvador," Ruiz said at Monday's news conference.

Supervisor Hillary Ronen, whose district includes much of The City's Latino population, said her office will continue to work to "put the resources into making sure there are lawyers in the community" to work with TPS recipients on identifying "permanent paths to staying in this country."

At the Mission District's Central American Resource Center (CARACEN), a designated attorney provides legal counsel to TPS beneficiaries from El Salvador, Nicaragua and Honduras daily.

Monica Oca Howell, a senior immigration attorney with CARACEN, agreed that it is "highly unsafe" for Salvadoran TPS beneficiaries "to return at this point."

"We work with a lot of clients who fled El Salvador fairly recently [due to] a lot of gang violence and extortion," Oca Howell said. "They are going to be facing a lot of challenges, aside from having to break their community ties that they have established here over the course of 15 years."

Regardless, 18 months from now, "nearly 200,000 TPS recipients and 192,000 U.S.-born children of theirs will have to make a very critical, horrible decision," Cardona said.

It's unclear exactly how many TPS beneficiaries reside in the Bay Area. According to Cardona, about one-third of the some 200,000 Salvadorans affected nationally live in California.

Some 1,400 TPS beneficiaries from El Salvador have received legal counsel at CARACEN since 2001, according to Oca Howell.

The organization advises those affected to seek legal counsel on alternatives to the temporary status immediately.

For instance, those who have been victims of violent crimes could qualify for U-Visas, while others who have U.S.-born children over the age of 21 could, in some cases, be eligible for permanent legal status.

"Unfortunately there may not be an alternative form of relief for everybody affected by this decision," she said.

Fleeing El Salvador's Civil War in the early 1990s, Freddy Ochoa relocated to San Francisco at the age of 18, but was denied political asylum.

"We were suffering to the point where I had to leave," said Ochoa, who now works in construction. "I do not see me or my family returning to my country. I'm terrified."

For more than half his life in the U.S., TPS had kept the father of two safe.

Now, Ochoa's only hope for continuing the life that he began building in San Francisco more than two decades ago would be a legislative solution.

"That would be [fair], if the government would give us a permanent status since we have been here for many years, paying for TPS," he said.

Red Tape Traps Teenagers Seeking Refuge In U.S.

By Caitlin Dickson

Yahoo! News, March 12, 2018

Like most teenagers in the United States, Luis looked forward to his 18th birthday. Unlike most teens, Luis's excitement was not about being able to vote or buy cigarettes or other American rites of passage associated with turning 18, but about the prospect of being released from custody and reunited with his family.

A little more than two months before his birthday, Luis, whose name has been changed to protect his identity because he is currently seeking asylum, arrived at the southern U.S. border after a long and dangerous journey through Mexico. His father had never been a part of his life, so when his mother fell ill and went to live in a church without him, Luis decided to leave his Guatemalan village, which had become ruled by violence, and seek work in Mexico. But not long after arriving in Chiapas, Luis met someone who told him that if he had family in the U.S., he should go there. Luis knew he had relatives in Atlanta and, though he had no idea how to get there, he set out on a journey to find them.

After turning himself in at the border, he was placed in the custody of the Office of Refugee Resettlement (ORR), an agency within the U.S. Department of Health and Human Services that is tasked with the care of unaccompanied immigrant children. He was put on a plane and taken to live in a shelter-like facility in Dobbs Ferry, N.Y., where a caseworker began collecting the paperwork necessary to request Luis's reunification with his relatives in Atlanta.

With his 18th birthday looming, his caseworker told Luis they would have to get the documents submitted as quickly as possible, warning that if he wasn't released before his birthday he could be sent to an adult detention center. The prospect of this made Luis start to panic but, he said, his caseworker insisted that he needn't worry. "We have time," he recalled her telling him.

So they proceeded to gather the paperwork and submit a request to ORR for Luis to be released to live with his brother-in-law in Georgia. As far as Luis knew, there weren't any issues and, by the eve of his birthday, he says, the caseworker told him there was a plane ticket to Atlanta ready for him to leave that night. They were just waiting on a response from the government as to whether it was going to approve his case.

"I was happy because I was ready to leave," Luis recalled. "I got ready with all of my clothes, my backpack..." but as Luis and his caseworker made their way to the facility's exit, she revealed to him some devastating news: His case had been denied.

Terrified and confused, Luis racked his brain for what he had done to suddenly deserve being treated like a criminal.

"All I did was turn 18," he said.

Luis is part of a growing trend, observed in recent months by legal advocates and social service providers who work with ORR, of unaccompanied immigrant teens — most of them fleeing violence at home in Guatemala, Honduras or El Salvador — being handcuffed, shackled and thrown into adult ICE detention, literally before dawn on their 18th birthdays. Most were in the process of pursuing asylum or other legal forms of refuge in the U.S.

Those directly affected by these changes constitute a relatively small but highly vulnerable population of young people known, in the parlance of the U.S. government, as Unaccompanied Alien Children, or UACs.

These are, generally speaking, foreign-born girls and boys under the age of 18 who have been caught — or, in many cases, turned themselves over to Customs and Border Protection — after entering the country illegally without a parent or guardian; hence the label “unaccompanied.” They are the victims of the Trump administration’s crackdown on undocumented immigrants generally, and in particular its focus on the violent MS-13 gang, which recruits teenagers from Central America.

The overwhelming majority of UACs who have arrived since 2014 have come from Guatemala, Honduras and El Salvador, countries racked by poverty, corruption and brutal gang violence. Their journeys to the U.S. through Mexico often involve exploitation or abuse at the hands of traffickers.

The UACs might qualify for asylum in the U.S., but their status is complicated by the fact that they crossed the border illegally. Federal statutes and court rulings have established legal guidelines for how to treat this population of young people who’ve entered the country illegally but express fears of returning home.

A 1997 federal court decision known as the Flores Agreement required the government to release such children “without unnecessary delay” and make “prompt and continuous efforts” to reunify them with family in the U.S. while they make their legal case to stay.

Back then, the care of immigrant children was the responsibility of the Immigration Naturalization Service (INS). But in the aftermath of 9/11, the INS was dismantled, and most immigration and enforcement agencies were reshuffled into the newly established Department of Homeland Security. Not included under this broad new DHS umbrella, however, were the so-called UACs. With the passage of the Homeland Security Act in 2002, Congress incorporated the principles of the Flores Agreement and determined that custody should fall under the purview of the Department of Health and Human Services.

Congress’ concern for the welfare of these children was further codified by the 2008 passage of the William Wilberforce Trafficking Victims Protection Reauthorization Act (TVPPRA), which granted immigrant kids the right to legal protections while in ORR custody, and mandated that the

agency ensure that children in its care are “promptly placed in the least restrictive setting that is in the best interest of the child.”

But the priorities that shaped the treatment of immigrant children over the past two decades have been subordinated to the Trump administration’s hard-line approach to immigration. In speeches, President Trump and Attorney General Jeff Sessions have singled out minors from Central America as threats who take advantage of “loopholes” in immigration laws to infiltrate the U.S. and commit crimes.

Approximately 150,000 Central American teens and children have been caught crossing the border and referred to ORR since 2014.

The Department of Justice estimates that there are currently 10,000 active MS-13 members across 40 U.S. states, a figure that has remained relatively stable since at least 2006, with the highest concentrations in New York, Virginia and the Washington, D.C. metropolitan area. (Though the gang now has a much larger presence in Central America, it was actually established in Los Angeles in the 1980s by teens whose parents had fled a deadly civil war in El Salvador.)

Police in New York’s Suffolk County have attributed 27 murders to MS-13 members since 2013; the parents of two teenage victims from the heavily Hispanic town of Brentwood, on Long Island, were saluted by President Trump in January’s State of the Union. A recent report by the Washington Post suggests that the surge in unaccompanied minors from Central America has helped fuel recent violence by MS-13, as members target these vulnerable recent arrivals for recruitment.

But even ORR, in its own memo to the White House Domestic Policy Council, admitted that “the great majority of UAC in ORR custody do not pose a safety risk to the public and are not affiliated with gangs. Many UAC come to the United States to escape violence and gangs in their home communities.”

The same memo refers to a June 9, 2017, ORR review of the teenagers in its “secure” and “staff secure” facilities — the small number who have been determined to pose a potential risk to the community, or to themselves, or of fleeing custody. “From that review, ORR determined that of the 138 UAC in those facilities on June 9, 35 were voluntarily involved with gangs. Four additional UAC had reported that they had been forced into gang participation. In the context of the nearly 2,400 UAC in ORR custody on that date, this means that gang members were approximately 1.6% of all UAC in care.”

Nevertheless, a number of procedural changes at ORR, together with ICE’s enforcement policies, are creating what critics call an inescapable cycle of prolonged detention.

As an ORR spokesperson noted in a statement to Yahoo News, unaccompanied youths technically fall under

DHS jurisdiction as soon as they turn 18. Still, legal advocates and social service providers who work with ORR say that in prior years ICE exercised discretion in how to treat them and would often sign off on alternatives proposed by lawyers or caseworkers in anticipation of their milestone birthday.

Under those agreements, 18-year-olds who were not deemed dangerous or a flight risk could be released on their own recognizance, or to family members, or placed in some kind of group housing, either with an ankle bracelet or with orders to check in at an ICE office regularly until their case has been resolved in court. A source in DHS who did not want to be identified confirmed that this had been the policy under previous administrations.

These so-called post-18 plans are still being prepared and proposed for clients who are on track to age out of ORR care, but advocates for the children say ICE is no longer considering them as an option.

The DHS source did not know how many teens have been taken directly into adult detention upon turning 18 under the current administration, nor could the source point to a specific policy change with regard to how ICE handles such cases. A February 2017 memo issued by then-Homeland Security Secretary John Kelly eliminated ICE's prior list of enforcement priorities established by Kelly's predecessor, Jeh Johnson, encouraging ICE agents to focus enforcement resources on certain categories of undocumented immigrants, including convicted violent criminals and recent border crossers.

By eliminating these priorities, Kelly implemented a new era of indiscriminate immigration enforcement, pursuing anyone and everyone who is in the country illegally, regardless of circumstance.

"I think Kelly and Trump were just in such a hurry to arrest everyone that they maybe didn't think of the implications on these kids," said the DHS source.

A class action lawsuit filed last week by the National Immigrant Justice Center accuses ICE of automatically transferring 18-year-olds from ORR to ICE custody without considering potential alternatives to detention. The suit argues that by failing to consider the least restrictive option available in the best interest of the child, ICE was violating a 2013 amendment to the TVPRA that extended such requirements to kids who turn 18 while in ORR custody.

Meanwhile, advocates suspect ORR is slowing the process of releasing children into the "least restrictive" situation, as required by law, so that more of them are aging out into ICE custody.

The ORR declined to provide Yahoo News with recent data on the number of immigrant teens in its custody who've been transferred immediately to adult ICE detention upon turning 18. It did, however, reveal the portion of unaccompanied children who've "aged out" of ORR custody

in general, which, although small, demonstrates a clear upward trend from 1 percent in 2014 to 2.4 percent in 2017, increasing incrementally each year.

At the same time, according to data published on the agency's website, the number of unaccompanied minors in ORR custody who've been reunified with a sponsor has decreased significantly across almost every state since October 2016.

One possible explanation is that family members, who may be undocumented themselves, are reluctant to come to the attention of DHS by volunteering as sponsors.

Arguably, though, the biggest effects on the reunification process stem from a series of policy and procedural changes implemented at ORR under the banner of what Director Scott Lloyd dubbed the agency's new Community Safety Initiative. According to an August 2017 memo to the White House Domestic Policy Council, the initiative was created in response to "public and congressional concerns about the Mara Salvatrucha, or MS-13, Central American street gang in American communities, and the involvement in that gang of some individuals who were previously in the ORR UAC Program."

Among the changes imposed under the Community Safety Initiative was a new requirement that either Lloyd or his deputy director, Jonathan White, personally review and approve all requests for release of any UAC who, at any point during their time in ORR custody, had been housed in secure or staff-secure facilities.

At any one time, that is a small fraction of the total number of UACs in ORR custody; the great majority are in "shelter-level" residences. But the New York Civil Liberties Union filed a class action lawsuit last month against Lloyd and others claiming that, under Lloyd's leadership, "the process of reunifying the children in the plaintiff class"—that is, those who have at any point been placed in a secure or staff-secure facility, even if their stay there was ultimately deemed unnecessary and they were moved back to a less secure facility—"has ground to a virtual halt, trapping these children in highly restrictive government-controlled facilities." (PDF)

The suit focuses specifically on New York, but the same trends have been observed by legal and social service providers that work with ORR around the country.

Nithya Nathan-Pineau is an attorney and senior program director for the Capital Area Immigrants' Rights Coalition's Detained Immigrant Children's Program, which provides legal services to children in ORR custody in the Washington, D.C. area. Because two of the three facilities in the country that provide secure detention for kids in ORR custody are located in the D.C. area (the third is in Northern California), Nathan-Pineau and her colleagues are well suited to observe trends within that population. Before the NYCLU

filed its lawsuit, she described similar scenarios of stalled cases and seemingly interminable detention.

"We have kids who've been trying for over a year to reunify with biological parents, and they're sitting in secure detention," she told Yahoo News. "I'm seeing more kids moving up to that higher level of security and not moving, and essentially getting stuck in secure or staff-secure. They may move between those levels, but we're not seeing kids really get released to sponsors."

In fact, she added, "we haven't seen a reunification out of secure detention in over a year."

Increasingly, allegations of gang affiliation — often based on information children disclose upon entering ORR custody, such as having been forcibly recruited or victimized by gangs either at home or along their journey to the U.S. — are leading to more secure and staff-secure placements, albeit often temporarily.

To bolster its new gang focus, the Community Safety Initiative calls for working with law enforcement to train residential facility staff and ORR-contracted social service providers who work with teens before and after release on how to identify gang affiliations, including cues such as clothing.

Someone who attended one of these training sessions and spoke to Yahoo News on condition of anonymity said the guidelines "felt a little bit more like profiling." The potential for mistakes was, this person said, "deeply troubling," because a misidentification could keep a teenager locked up for years.

As part of the intake process at ORR facilities, children have traditionally been encouraged to share all the details of their journey in order that those who may have been victims of trafficking or have otherwise fled particularly dangerous situations may be identified. Now, this person said, that information is being used against them, as staff are labeling kids as gang-affiliated at the mere mention of a gang, no matter the context.

"They may have been a victim of trafficking or may have known somebody who was in a gang," but now "a staff member who attends one of these trainings where you have very limited information being presented by DHS, they can then designate that child as gang-affiliated and they go straight to secure. That was never a policy before."

Such placements are subject to review, but "once they've gone to secure they cannot be released without their case being approved by [ORR] headquarters," the source said, where their requests for release are languishing, unanswered.

"That is really devastating because kids who pose no threat and may have been the victims of horrific trafficking for years are now having their cases held up, and they're not able to reunify in a safe environment because of these policy changes."

Even detainees who aren't flagged for secure facilities are spending more time in custody than before, says Nathan-Pineau, noting that ORR's average stay in shelter-level custody was previously around 30 days. According to statistics posted to the ORR website, the average length of stay in shelter and transitional foster care during fiscal year 2017 was 41 days.

Robert Carey, who served as ORR director under President Barack Obama from April 2015 to January 2017, questioned whether the ORR's new policies signaled a shift in the agency's role toward more of a focus on law enforcement.

"My question is, does that really belong in child service agency?" he asked.

Carey also expressed concern about the trend toward transferring unaccompanied teens from ORR custody to adult detention as soon as they turn 18.

"Many of these children have been victims of violence and sexual exploitation, so to put them in an adult detention facility is an end to be avoided, not pursued, and not to be done lightly," he said.

"Those policies are, to me, extremely politicized," said Diane Eikenberry, associate director of policy with the National Immigrant Justice Center. "It's not about the best interest of the kid. It's a messaging tool for the political appointees to say to the White House, 'We've got your back.'"

Eikenberry argued that prolonged detention — whether by ORR or ICE — undercut the "decades of recognition that it is inhumane to throw children in jail."

So far, the clearest result prolonged detention appears to be having is deterring those who've already made the dangerous journey here from continuing to pursue legal claims of asylum.

"It's really discouraging to see that because we believe that people have the right to seek asylum," said Nathan-Pineau. "It's not illegal to come to the United States to seek asylum. It's never been illegal, and it shouldn't be considered to be illegal now."

Before he was taken into ICE custody, Luis said, his caseworker told him he'd have two options: "You can pay a lawyer and fight your case, or you can sign an order of deportation and go back to your country."

"I was scared," he told Yahoo News. "I didn't want to go back to Guatemala, but I didn't want to go to jail."

Luis chose to fight his case and was taken to New Jersey's Bergen County jail, which is contracted by ICE to house immigrant detainees. He was given an orange shirt and matching pants with the word "Prisoner" printed in big, black letters down one of the legs, and locked in a cell with an older man from Africa who Luis said initially shared his food with him and then angrily accused him of stealing it.

"The days inside passed very slowly," Luis recalled. "There's nothing to do; they don't let you out, and the truth is,

I didn't know if it was night or day because you're just totally enclosed."

For the first few weeks, he didn't have any communication with the outside world — including his family. He was allowed to make one free phone call when he first arrived, but when he called his relatives in Atlanta no one answered. He had no money for additional calls, so no one knew where he was. About two weeks in, Luis says he was given the option to work in the kitchen, and about a week later he was paid.

After more than two months behind bars, Luis was finally taken from the jail — clad in his orange prisoner clothes, his wrists cuffed and shackled to a chain around his waist — to a courthouse in Manhattan for his first appearance in front of an immigration judge. He met with Alex Lampert, an attorney with Brooklyn Defender Services (BDS), part of a state-funded network of legal aid groups in New York that offer free representation in immigration court. The program, known as the New York Immigrant Family Unity Project, or NYIFUP, was the first of its kind in the country.

Though a number of cities have similar local initiatives, New York has the only statewide program. So for unaccompanied teens in most other parts of the country, being transferred to adult ICE detention also means losing access to the legal services previously provided to them as minors in ORR custody.

With Lampert's help, Luis was released on bond after three months of detention and is now currently living with a pastor in the Bronx. He has successfully petitioned for Special Immigrant Juvenile Status, a legal classification available to certain undocumented immigrants under the age of 21 who've been abused, neglected or abandoned by one or both parents and for whom returning to their home country is not in their best interest. SIJS status will enable Luis eventually to petition the government for a green card.

In the meantime, Lampert added, he also has an asylum application pending.

Between his time ORR and ICE, Luis was in custody for approximately five months after he arrived in the United States. Still, he is lucky to now be pursuing these legal avenues for relief from outside the confines of detention.

"The detention itself is very coercive, by design or at least, by effect," said Lampert, noting that, for many teens, as well as adults, the barriers imposed by being locked up make even cases that could easily be won outside detention almost impossible to pursue from behind bars.

On a recent Thursday last month, a teenage girl from Guatemala was shuffled into one of the immigration courtrooms in Manhattan for her first appearance before a judge since entering the United States seven months earlier. Her entire time in the country had been spent in custody, first by ORR for four months, followed by another three months in ICE detention. Her brown, layered hair fell slightly in front of

wide eyes that darted around the courtroom as she waited for her turn to approach the bench. When her name was finally called, she stood no more than 5 feet tall and could barely raise her right hand from the shackle affixed to her waist.

Her lawyer, another attorney with BDS who declined to provide more details about the girl's case, told the judge that her client wanted out of detention, and would accept an order of removal back to Guatemala. The judge asked both the attorney and the girl a series of questions that ended when, with the help of a Spanish interpreter, the girl told the judge definitively, "I just want the deportation order."

And with that, in under 10 minutes, her prolonged detention in the United States was effectively over and she would soon be sent back to the country she'd fled seven months before.

Editor's Note: This story initially cited data inaccurately claiming that "In October 2016, CBP referred 66,708 unaccompanied minors to ORR care — which is close to the number of kids referred to ORR during the height of the 2014 surge. Those numbers dipped dramatically during the first few months of 2017, reaching a low of 15,766 in April of that year, but have steadily started to climb back up to rates comparable with previous years, ranging between 34,000 and just over 40,000 each month since October." Those numbers, since removed, reflected the total number of undocumented people apprehended at the Southwest border during that time period.

Sharp Drop In International Student Visas Worries Some US Colleges

By Parija Kavilanz

CNN Money, March 12, 2018

The number of F-1 visas issued to foreign students seeking to attend college and other types of academic institutions in the United States decreased by 17% in the year that ended September 30, 2017, according to recent State Department data.

"The current administration's 'America First' mantra is causing [international students] a great deal of anxiety and fear," said Earl Johnson, vice president of enrollment and student services at the University of Tulsa in Oklahoma. "Also, the cost of college tuition, on average, has gone up 40% in the last 10 years. It's weighing on them."

That's bad news for schools that have large international student populations. Nearly 20% of the University of Tulsa's 4,400 enrolled students hail from overseas.

Johnson said his school has experienced declines in international enrollment for a few years now and it is starting to hurt revenue. The university has even placed a school official in China to recruit more students from overseas. At the

University of Tulsa, international students make up 20% of the student population.

F-1 visa approvals were trending higher for nearly a decade when they peaked at more than 600,000 in 2015. But they have dropped off dramatically since.

The United States issued a total of 393,573 F-1 visas in fiscal 2017, down from 471,728 in 2016. The government did not release the total number of F-1 visa applications it receives in a given year or how many applications were rejected.

The biggest decline in visa approvals in 2017 was seen among students from Asian countries, particularly those from China and India which typically account for the largest number of F-1 visas.

A number of factors could be driving the declines, said Allan Goodman, president of the nonprofit Institute of International Education.

While students are evaluating the cost of studying in the US versus somewhere else, they are also tuning in to the political rhetoric on immigration. "Inevitably, it does lead them to ask, 'Will I be welcome here?'" said Goodman. University of Tulsa is hoping to boost applications from international students.

But there are other factors that are also playing a role, he said. In China specifically, a 2014 change in visa policy allows Chinese students to obtain an F-1 visa for a five-year period instead of one, freeing them from having to renew their visa each year. That change alone could contribute to the recent declines, said Goodman.

Worldwide competition for international students is also heating up, he said. The United States used to account for almost half of all international students worldwide. Now about 24% of all international students come here, said Goodman.

Instead, they are going to countries like Canada, Germany and Australia, which are making it easier for international students to stay in the country after they graduate and become part of the workforce.

Meanwhile in the United States, the government's tougher stance on its popular H-1B foreign work visa, a common visa pathway for high-skilled foreign workers, is making it harder for new graduates to remain in the country and could be deterring overseas students from applying to American colleges.

"Having international students benefits the United States in many areas, in science and technology, even the number of Noble laureates we produce," said Goodman.

And international students add diversity to the classroom, he added. "Most Americans don't study abroad. At the very least, they get a sense of the outside world from the eight to 10 different nationalities in their classroom," he said.

"It's a fairly uncertain time for all higher education institutions in the US," Johnson said. "Right now we feel the

glass is half full. We are seeing a greater number of started applications from students overseas, but we have to wait and see how many complete their applications for the fall."

Spouses Of H-1B Holders Fighting To Keep Work Permits After Trump Administration Threatens Policy Change

By Kate Morrissey

Eugene (OR) Register-Guard, March 12, 2018

SAN DIEGO — Spouses of foreign workers are taking a stand against the Trump administration's plans to take away their work permits.

H-1B workers' spouses come on H-4 visas. Those are dependent visas, meaning the spouses are not allowed to have jobs in the U.S. Because many get stuck for over a decade on these temporary visas while they wait for the H-1B holders to become permanent residents, the Obama administration allowed H-4 visa holders who are waiting in long lines for green cards to work while they wait.

The Trump administration, citing the president's "Buy American, Hire American" agenda, announced in the fall of 2017 that it was planning to revoke that permission.

"We're a group of people who want to save our jobs," said Jansi Kumar, who helps organize a group of H-4 work permit holders called Save H4EAD. "It's a little crazy when you wake up one morning and you don't know whether you'll be allowed to work or not."

Because of annual caps on how many visas can go to citizens of one country, people from places like India and China, where many immigrant workers come from, have especially long waits for green cards.

If an employer decides to sponsor a green card for an H-1B employee from India, it can take well over a decade. The people at the front of the line from India for one class of employment visa have been waiting since December 2008, according to the State Department. For another class of visa, they've been waiting since December 2006.

In 2015, the Obama administration put in place a rule that allows spouses of H-1B visa holders to get a work permit after the H-1B visa holder has been accepted into the waiting line for a green card.

The issue mostly affects women, Kumar said.

The government agency that issues visas has approved close to 105,000 work permits for H-4 visa holders since 2015, according to U.S. Citizenship and Immigration Services. That's just under 3 percent of the close to 4 million work permits issued by the agency in the same time frame.

Kumar's group did a survey of its members and found that 96 percent have at least a bachelor's degree, and 59 percent have more advanced degrees.

Many of the women who come to the U.S. on H-4 visas pursue additional degrees while they're not allowed to work, she said.

Priyanka Ursal, who came to San Diego in 2010 to live with her husband, said after one year of not working, she ended up applying for a master's program in information system management to have something to do.

"Before that, I had never sat home doing nothing a single day," Ursal said. "It was a hard thing to digest."

Originally from Pune, a city near Mumbai in India, Ursal grew up watching her mother work full time while raising her family. Ursal had similar expectations for herself before an arranged marriage, which are common in India, brought her to the U.S.

She said that first year in San Diego was painful because she couldn't work.

"There was some guilt in my mind. Am I wasting my time?" she recalled. "I have got a very nice education from a very good school, and I wanted to pursue my career."

After she finished her master's degree, she found a company willing to sponsor her for an H-1B visa.

Her first day back at work was the best day of her life, she said.

"I was so happy, like I could scream to everyone that I am back to life," Ursal said.

When her son was born, she decided to spend some time at home and relinquished her work visa.

At that point, the Obama administration had created the work permit for H-4 visa holders. Since her husband had been in line for a green card since 2011, she knew she'd be able to return to work when she was ready.

She found a job working as a senior test engineer at a startup. She and her husband are saving to buy a house.

She wants to set an example for her son as a working mother, and the job helps her pay for his day care.

"This job does not just mean money for me, but it is also my identity, my pride and my self-esteem," Ursal said.

She hasn't talked to her co-workers about her situation because she's waiting to see the Trump administration's final rule.

The proposed rule was supposed to be published to the federal register in February. The administration recently announced that it will now wait until June.

Sangeeta Degalmadikar, who came to the U.S. with her husband in 2008, has her own fashion design company that she started last year.

She's worried about what will happen to her business, and to her employee, if she loses her work permit.

"It was my dream to have my business and to achieve something," Degalmadikar said. "In India, I was a professional. After coming here, everything for me was blank."

She had plans to expand to an online store and possibly a storefront, but she's decided to hold off. She encouraged her employee to drop to part time with her and find other work to protect the employee from unemployment if Degalmadikar no longer has a way to run the business legally.

Sheetal Bangalore Srikumar, who lives in Poway, said that the uncertainty she's facing while waiting for the administration's decision has made it difficult to plan her family's future.

An engineer, she came to the U.S. in 2008 first on a student visa for a master's degree and then found a company to sponsor an H-1B visa for her.

Her husband was working in San Diego when they married. They couldn't find two H-1B sponsored jobs in the same city, so their lives involved many long commutes and a lot of time in separate cities.

In 2013, they got in the waiting line for green cards. When the Obama administration introduced the H-4 work permit, Bangalore Srikumar quit her H-1B job and moved to San Diego to be with her husband.

"In this century, canceling the whole work authorization for women it doesn't make any sense," she said. "It goes back to the olden days when women were not allowed to work."

She emphasized that H-4 workers pay taxes and want to contribute economically.

"We want to work," Bangalore Srikumar said. "After studying, after doing everything, you don't want to sit at home."

Expert: DACA Future More Uncertain Than Ever

By Alexandra Oliveira And Alison Spann

The Hill, March 12, 2018

Immigrants benefitting from the Deferred Action for Childhood Arrivals (DACA) program face an uncertain future given the likely end of the program, according to Theresa Cardinal Brown of the Bipartisan Policy Center.

While courts have left in place the program allowing immigrants who came to the United States as children to stay here, the Trump administration is seeking to end it, and there is little, if any, chance for congressional action soon.

"Nobody's breathing a sigh of relief," Brown told The Hill.

"They know — even if they still have status right now, they know it could end and they know it could end at any time. They know the only permanent lasting solution for them is if Congress passes a law and the president signs it.

"It's actually more uncertain now because we don't know when it's going to end, but it probably will," she added.

Congress spent most of February trying to come up with a fix for the DACA program before a March 5 deadline that President Trump imposed last year.

So far, efforts to move forward with various solutions have failed to win 60 votes in the Senate.

In the House, Judiciary Committee Chairman Bob Goodlatte (R-Va.) has co-sponsored a bill backed by many conservatives, but that legislation is opposed by Democrats and does not have enough support to pass the chamber.

"These are not immigration bills," Rep. Luis Gutiérrez told The Hill. "These are anti-immigrant bills, and I'm not gonna support anti-immigrant bills."

Immigration Angst Could Put Job Licensing Fix In Peril For Dreamers

By Mykal McEldowney

Indianapolis Star, March 12, 2018

A combustible mix of issues in the Indiana Senate is threatening to stall an effort to allow DACA recipients — often referred to as Dreamers — to get or keep professional licenses in occupations ranging from dentistry to hair styling.

Some Republicans in the GOP-dominated Senate fear the measure could have broader implications, opening the door not only to professional licenses, but also welfare and other forms of state aid for the young immigrants who were brought here illegally as children, but are protected from deportation and have been granted legal work status under the Deferred Action for Childhood Arrivals, or DACA, program.

"The attorneys have come in and said this would open up to all sorts of benefits well beyond just licensing," Senate President Pro Tempore David Long said Thursday.

The making of a monster: How Larry Nassar abused hundreds of gymnasts and eluded justice for decades

Civil disobedience: DACA expiration prompts protests and arrests in Indianapolis

As a result, there is almost universal agreement that narrower language is needed — but so far, the Senate has not taken the steps needed to change the language. And with only three days left until the end of this year's legislative session, time is running out.

A number of factors are complicating the issue, including uncertainty about the fate of the DACA program at the federal level and election-year fears among rank-and-file Republican senators that they might be viewed as soft on immigration.

Some of the hangups, though, have more to do with the internal workings of the Senate Republican caucus.

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One problem is that the bill's sponsors, Sens. Blake Doriot and Eric Koch, never signed up to carry a bill involving immigration issues.

Senate Bill 419 originally had nothing to do with licensing for DACA recipients. It would have simply prevented local governments from enacting professional licensing standards if the state already licenses that occupation.

Only when bill moved on to the House was it amended to address revelations, first reported in IndyStar, that the Indiana Professional Licensing Agency had added questions to its application forms and was using them to screen out DACA recipients.

So far at least 37 DACA recipients have been unable to obtain a professional license because of the new practice.

DACA advocates say the move unfairly prevents young immigrants who are legally allowed to work in the United States from getting jobs in more than 70 professional fields, including architecture, plumbing and nursing. About one in seven Hoosier workers have a license through the agency.

Last SlideNext Slide

Gov. Eric Holcomb has defended the change to the license applications as necessary to comply with a 2011 state immigration law, but he has also said he supports the proposed legislative fix.

Now, Doriot and Koch suddenly find themselves at the center of that controversy.

As the lead author, Doriot, R-Syracuse, has the right to concur with the House version or file a dissent, sending the bill to conference committee where a small panel of House and Senate members would hash out a final version.

But so far, Doriot, who initially expressed support for allowing DACA recipients to get state licenses, has not filed a dissent, thus preventing lawmakers from adding the more narrowly tailored language that will likely be needed to gain broad support.

He declined through a spokesman to be interviewed for this story, but said Senate attorneys are working on the issue.

Koch, meanwhile, is unlikely to support the bill given his hardline stances on immigration in the past. In fact, the Bedford Republican was the lead sponsor of the state's 2011 immigration law as a member of the House.

"I just can't comment on it right now because I don't know what its going to look like at the end," he said Friday.

Among other things, the 2011 law requires state agencies to verify that a person is a U.S. citizen or a qualified alien in order to receive state benefits, including professional licenses. Participants in the DACA program, which did not exist at the time, are not considered qualified aliens.

Additionally, several Senate Republicans, including Sens. Rodrick Bray and Travis Holdman, are jockeying to replace Long as the chamber's leader when he retires in November.

For some members, how those contenders vote on the DACA issue could be a kind of litmus test.

"What we may be seeing is a small number of Republican senators who will use this as away to decide who they might support in the leadership battle," said Andy Downs, a political scientist at the Indiana University-Purdue University Fort Wayne. "That is a caucus that is fighting about how far to the right it wants to go."

Angela Adams, an immigration attorney who has been advising lawmakers on the matter, took issue with allegations that language in the House version of the bill would allow DACA recipients to receive welfare benefits. Federal law prohibits that, she said, but it does give states permission to pass laws allowing DACA recipients to receive some benefits such as professional licenses.

If Indiana wants to allow professional licenses for DACA recipients and to comply with federal law, the legislature needs to pass a narrowly tailored law narrowly that explicitly allows immigrants legally authorized to live and work in the United States to seek professional licenses, she said

Long said he is confident that Senate Republicans and their lawyers can reach consensus before Wednesday's deadline.

"What we're trying to do is make sure that the licensing issue is met and handled in a way that allows the DACA kids to keep working in Indiana," he said. "We can get that done."

In the meantime, many of Indiana's roughly 9,000 DACA participants are anxiously waiting to see what lawmakers do.

"I'm going to have this degree I spent four years working towards while working multiple jobs," said Perla Alamillo, a 23-year-old University of Indianapolis nursing student who graduates in May.

A DACA recipient who attended public school in Shelbyville from kindergarten to high school, Alamillo already has a nursing job lined up at a local hospital where she has been working as a technician.

In an interview Friday, she wept as she considered the prospect of telling her employer that she won't be able to get her nursing license.

"It's just really hard to think about," she said, "when all I want to do is help people and make a difference."About DACA

How it started:

President Barack Obama established the Deferred Action for Childhood Arrivals program in 2012.

What it does:

It protects immigrants brought to the United States illegally as children from deportation and grants them legal work status.

How it works:

DACA participants pay taxes and can obtain Indiana driver's licenses and social security numbers, but can't qualify

for many public benefits, including Indiana in-state college tuition rates and food stamps.

Who is affected:

There are nearly 700,000 DACA recipients nationwide, including about 9,000 in Indiana.

Uncertain future:

President Donald Trump had planned to end the DACA program March 5, but that move was blocked when the U.S. Supreme Court refused to review a federal judge's order to continue the program. Democrats want the program left alone or made permanent through a new law; Republicans, with Trump's backing, have demanded other immigration enforcement and border security enhancements in exchange, including an expansion of the wall along the Mexican border.

Jeff Sessions To Rule On Asylum For Battered Woman

U.S. attorney general launches review of immigration-court precedent concerning domestic abuse victims

By Jess Bravin

Wall Street Journal, March 12, 2018

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

Trump Administration Moves To Reshape Who Qualifies For Asylum : NPR

NPR, March 12, 2018

NOEL KING, HOST:

Here at home, the Trump administration is moving to limit who gets asylum in the U.S. Attorney General Jeff Sessions is using his authority to reshape the law on who qualifies for asylum. Advocates for immigrants' rights warn that thousands of legitimate asylum-seekers could be turned away. NPR's Joel Rose has the story.

JOEL ROSE, BYLINE: There was no press release, no announcement from a podium. But behind the scenes, Attorney General Jeff Sessions has intervened in two cases that could have big implications for people who come to the U.S. and seek asylum. And the immigration lawyers who represent them are worried.

JEREMY MCKINNEY: They are amongst the most vulnerable people in our society.

ROSE: Jeremy McKinney is secretary of the American Immigration Lawyers Association.

MCKINNEY: To have their rights curtailed so that the system moves faster, I think, should be considered a moral outrage.

ROSE: To Attorney General Jeff Sessions, the outrage is that immigrants are gumming up the system with false claims.

(SOUNDBITE OF ARCHIVED RECORDING)

JEFF SESSIONS: The system is being gamed. There's no doubt about it.

ROSE: That's Sessions giving a speech in October. Back then, he was asking Congress to tighten asylum rules. Last week, he acted on his own. In one case, he vacated a precedent-setting ruling that said most asylum-seekers must get a hearing in front of a judge before their claim could be rejected. In another, he is reviewing whether some crime victims should qualify for asylum. These moves come as no surprise to anyone who's followed his positions on immigration and asylum.

(SOUNDBITE OF ARCHIVED RECORDING)

SESSIONS: This system is currently subject to rampant abuse and fraud. And as this system becomes overloaded with fake claims, it cannot deal effectively with just claims.

ROSE: Immigration courts do face a huge backlog, upwards of 600,000 cases, more than triple the number in 2009. One factor driving that backlog is women and children streaming north from Central America. Many claim that they're eligible for asylum because they've been the victims of gangs or domestic violence in their home countries. Andrew Arthur is a former immigration judge. He's skeptical about this kind of claim.

ANDREW ARTHUR: It's actually become a – sort of a catchall for truly inventive lawyers.

ROSE: Immigration courts work differently than regular courts. They're part of the Justice Department, so the attorney general has the power to personally overturn decisions by immigration judges. The former judge, Andrew Arthur, is now a fellow at the Center for Immigration Studies, which advocates for lower levels of immigration. And he applauds the recent moves by Sessions.

ARTHUR: One, it's going to streamline the system. Two, it's going to cut down on the number of claims that are inevitably – or at the end of the day – going to be found to be invalid.

ROSE: Not every crime victim is eligible to claim asylum. The victim must have a well-founded fear of persecution based on certain factors like race or religion. The law around this has been fiercely litigated, says Jeremy McKinney, the immigration lawyer.

MCKINNEY: The fear is that this Justice Department will undo all of those gains that were made through decades of litigation.

ROSE: McKinney and others are worried in particular that Sessions will overturn a landmark decision from 2014 that made it easier for domestic violence survivors to get asylum, people like Aracely Martinez who fled to the U.S. from Honduras.

ARACELY MARTINEZ: (Speaking Spanish).

ROSE: Martinez was pregnant when the father of two of her children killed their kids and shot her in the head before killing himself. She moved to another part of Honduras, but

his family found her and threatened to kill her. Martinez got asylum withheld from the Tahirih Center for Justice, a nonprofit that supports immigrant women.

MARTINEZ: (Speaking Spanish).

ROSE: Martinez says she would like to see more women like her get help. She says she finally feels safe in this country. Joel Rose, NPR News.

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ICE Removal Key Goal Of Democrats In 2020 Election

By Alex Pappas

Fox News, March 12, 2018

The Democrats mulling a run for the White House in 2020 are facing intense pressure from liberals to campaign on abolishing the agency that enforces federal immigration laws, a proposal that was once relegated to the far-left fringe.

In protesting the Trump administration's policies toward illegal immigration, liberal commentators and writers have been embracing the idea of gutting the U.S. Immigration and Customs Enforcement agency, which identifies, arrests and deports illegal immigrants inside the United States.

"This is a growing position on the left, and I imagine 2020 Democratic presidential aspirants will have to grapple with it," liberal writer and MSNBC host Chris Hayes tweeted.

In January, the idea was endorsed by Brian Fallon, a former top aide to 2016 Democratic nominee Hillary Clinton, and Eric Holder, President Barack Obama's attorney general. The Daily Caller first drew attention to the calls.

"ICE operates as an unaccountable deportation force," Fallon tweeted. "Dems running in 2020 should campaign on ending the agency in its current form."

Thomas Homan, the acting director of ICE, has reacted to these calls by Democrats by saying they should speak to victims of illegal immigrant crime.

"These politicians, they need to talk to the victims of alien crime, talk to the parents that I talk to that lost children at the hands of criminal aliens," Homan said Thursday on Fox News' "Tucker Carlson Tonight."

But the idea has picked up steam in recent days after Hayes, the MSNBC host, asked Democratic California Sen. Kamala Harris if she believes ICE should exist.

"ICE has a purpose, ICE has a role, ICE should exist," Harris, a potential 2020 candidate, responded. "But let's not abuse the power."

Since then, Harris, the former attorney general of California, has faced a backlash from liberal publications.

"Kamala Harris is very likely running for president in 2020," Jack Mirkinson of the liberal Splinter website wrote. "It should be a political problem for her that she is not willing to take her criticisms of ICE to their logical conclusion and call for its abolition."

He added: "She should be asked, over and over again, why exactly she is willing to uphold the legitimacy of such a racist, corrupt, and thuggish organization."

Mirkinson wrote that other potential candidates – like Vermont Sen. Bernie Sanders, New York Sen. Kirsten Gillibrand, Massachusetts Sen. Elizabeth Warren and Los Angeles Mayor Eric Garcetti – "should be asked the same question."

The Nation, a liberal magazine, last week also published an article titled "It's Time to Abolish ICE." The writer accused the agency of being part of an "unbridled white-supremacist surveillance state" and called it "an unaccountable strike force executing a campaign of ethnic cleansing."

"Though the party has moved left on core issues – from reproductive rights to single-payer health care – it's time for progressives to put forward a demand that deportation be taken not as the norm, but rather as a disturbing indicator of authoritarianism," McElwee wrote.

Democratic officeholders also have been openly rebelling against ICE, including Oakland Mayor Libby Schaaf, who recently tipped off the public to an immigration raid in the San Francisco Bay Area.

House Minority Leader Nancy Pelosi, D-Calif., last week slammed that raid as "unjust and cruel."

Attorney General Jeff Sessions, in a speech in California last week, said as many as 800 illegal immigrants may have evaded capture and said Schaff's tip-off put both residents and law enforcement at risk.

Sessions called California's "open borders" policies a "radical, irrational idea that cannot be accepted."

"It cannot be the policy of a great nation to reward those who unlawfully enter its country with legal status, Social Security, welfare, food stamps, and work permits and so forth," he said. "How can this be a sound policy?"

Alex Pappas is a politics reporter at FoxNews.com. Follow him on Twitter at @AlexPappas.

More Cubans Return To Cuba To Live

By Sarah Moreno

Miami Herald, March 12, 2018

For Rene, Miami has been a lonely place since his wife died eight years ago.

Although the 78-year-old from Guantánamo, Cuba, lives with his daughter and granddaughter, he's alone most of his time. So in July, he asked for Cuban government permission to return.

"The loneliness kills me," said Rene. "The end of the road for old people here is an institution because the family cannot take care of us," he said. "And that would be the worst that can happen to me."

Rene came to Miami in 2004 as a political refugee. He is now a U.S. citizen but wants to reunite with his two sons, four brothers and several grandchildren and great-grandchildren in Guantánamo.

"I don't regret coming here. If I say that, I would be ungrateful," said Rene, who spent five years as a political prisoner in Cuba. "But in Cuba, life is different. You move around and you talk to people. Here, you can spend a month and not see your neighbor."

Rene and most of the other Cubans interviewed by el Nuevo Herald for this story did not want to provide their real names for many reasons, including the fact that many are waiting for Cuba's approval for their return. They form part of a trend that has been growing since the migration reforms that Raúl Castro launched in 2013.

Under those reforms, Cubans who left and were called "emigrants" by the government can now apply for "repatriation" to regain residence and its benefits. They apply at the Cuban consulates in the countries where they live, or at the Interior Ministry on the island.

That does not mean they can recover any properties confiscated when they left Cuba. The government usually seized the homes of people who emigrated "definitively."

Cuban government figures showed 11,176 Cubans applied for repatriation in 2017, most of them living in the United States. In November 2016, the head of the Cuban diplomatic mission in Washington said that 13,000 had applied. A similar figure, 14,000, was used by Juan Carlos Alonso Fraga, head of the Center for Population and Development Studies at the National Statistics Office, during a TV appearance.

"They are of all ages, of both genders, although the majority are older than 50," Fraga said, adding that the trend of 2016 was continuing in 2017.

The Cubans interviewed by el Nuevo Herald gave very different reasons for their decision to return to the island.

Some, like Rene, want to spend their last years with family in their home country. Others need medical care, and still others want to buy or inherit a home, retire in a place where the cost of living is cheap or even engage in political activism.

For Iliana Hernandez, an activist in the opposition organization Somos+ who returned from Spain in 2016, "I did it because we have to educate Cubans to lose their fear, to use my attitude to show that we can demand our rights

through non-violent struggle," said Hernandez, who gave her real name.

Hernandez, who has Spanish citizenship, said she lives full time on the island but travels abroad "to breathe a little bit and live in democracy." Residing in Cuba, living somewhere else

In fact, most of the people who have or want to regain their residency say they don't plan to live on the island. The 2013 migration reforms also allowed Cubans to live abroad for up to 24 months without losing residency, its benefits or their properties.

"It's all a matter of money. A large majority is not repatriating because they want to live in Cuba, but because it allows them certain economic advantages," said Manuel, who started his application earlier this year but plans to continue living in Miami.

The advantages include cheaper passports. A Cuban living in the United States must pay \$400 to obtain a Cuban passport, but a resident pays only \$100. Renewals of the document, required every two years, cost \$200 for Cubans living abroad but only \$25 for residents.

Returning Cubans also have the right to bring in a shipment of household goods without paying import duties. Once there, they can also import goods for personal use and pay in Cuban pesos rather than hard currencies.

Manuel, 39, said he expects to benefit from the lower costs for passports, but added that his main reason for seeking Cuban residency is to keep the government from denying him the ability to reenter the island.

"I don't want to be like Ofelia Acevedo," he said, referring to the widow of activist Oswaldo Payá, who lives in Miami. She has been denied re-entry to Cuba while her daughter, Rosa Maria Payá, has been allowed to travel between Miami and Havana.

"When you emigrate, the government can deny you entry to the country. But when you're a resident you can enter as often as you want," he said. "In fact, you live in Cuba even though you live in Miami."

Cuba's requirements for regaining residence include having someone on the island who promises to house and feed returnees until they can provide for themselves.

Most of the returnees bring their own money, however, and in many cases plan to invest in a small business like a hair salon or a family restaurant.

"People take clothes and medicines from Miami and sell them there" to make ends meet, Manuel said.

He added that Cuban immigration officials usually ask the would-be returnees if they plan to invest in a business, what they plan to do on the island, why they are returning and what kind of jobs they have in the country where they live.

He said he told his interviewer that he wanted to care for his mother, but overheard another man who was applying say that he was "sorry he fell for the lies of imperialism, and

that living in the United States was not what he had expected."

"I chatted with that man and it was all a lie. He just wanted to enter Cuba and still live in West Palm Beach," he said. The right to buy and inherit property

Manuel said he believes the repatriation system is illegal and "can only have been conceived in the macabre mind of the Castros."

"How can I lose my rights as a Cuban just because I go to live somewhere else?" he asked. "No one understands why you need to repatriate yourself to your own country."

The word repatriation also angers Beatriz, a Miami woman who left Cuba 25 years ago but still regards the island as her motherland.

"I want to regain my rights as a Cuban citizen," said Beatriz, who started the process last year. "For example, the right to inherit my mother's house. Here, I have a good salary and a house that I am still paying for. But my family house is in Cuba, and we could lose it."

Being able to inherit and purchase property is among the rights recovered by Cubans who regain their residency.

"That's attractive, being able to buy a property," said Beatriz. She said she does not consider investing in Cuba to be risky, and that she lost no property when she left because she lived with her mother, who kept the house.

"It would be more risky to give money to another person to buy a property for me," she added. "You take a risk with anything you do. Right here in Miami, many of my friends lost their homes during the housing crisis."

Her short-term plan is to retire in Cuba. Health care

Cancer drove Armando to return to Cuba in December 2016. A year earlier, he was diagnosed with stage four stomach cancer. He underwent a risky surgery, complicated by an infection.

Now totally recovered, Armando said in an interview from New York that after eight surgeries and a round of chemotherapy, his wife abandoned him and took their son.

"I was left alone, without money, without being able to get out of bed or do anything," he said. He lost his job, his medical insurance and then his disability payments.

His mother in Cuba obtained a humanitarian permit from the Cuban government to take him to the island.

As a foreigner in Cuba, he initially had to pay in U.S. dollars for his treatment at the Ciro Garcia Clinic in Havana. So he decided to regain his residency and continued his treatment at the Oncology Hospital, also in Havana, paying in pesos.

He stayed on the island for four months and recovered, but never planned to stay.

"I begged God not to leave me there, that I did not belong in Cuba," Armando recalled. He said he could not get accustomed to all the shortages, especially of food, and the bad service.

"What we Cubans are doing is trying to recover the rights they took away from us. No other country takes away your rights if you leave," he said. "I believe it was a mistake to punish us like that."

For Manuel, the welcome he received from Cubans and the possibility of getting to know them was a plus.

He said Cubans joke that when someone left the country they would say, "Lola, traitor." But now they say, "Lola, bring dollars."

Manuel said he does not believe the return of Cubans will lead to immediate changes, but he does see it as an opportunity for Cubans on the island to learn about the lives of others who live abroad.

"This raises a question. Why did everyone abroad do better?" he said.

Cubans who return also regain the right to vote, he concluded, and may have a voice when political change is possible.

This is the first of a two-part report

In El Paso, Immigrant Youth Are Changing The Face Of Border Activism

By Gabriel A. Solis

Vice, March 12, 2018

On November 17, 2017, in the small city of Socorro, about a dozen students from the University of Texas at El Paso protested their local congressman. They carried colorful signs, a hand-painted banner that read "Education Not Deportation," and chanted that those lame enough not to be dancing with them were probably with the Border Patrol. The students' target was Will Hurd, a Republican who represents a third of the US-Mexico border. They berated him for not advocating on behalf of DREAMers—people brought to the country as children—as well as his ongoing support for deploying military technology on the border.

The modest protest was just one of many pointing to a larger trend of activism led by *fronterizxs* — young folks who have lived their entire lives on the border and are increasingly joining boisterous, immigrant-led youth movements. In fact, the loud and public demonstrations represent a watermark moment in the longer arc of the movement for immigrant justice. The Texas-based group *Soñando Juntos*, organized by *fronterizxs*, is building something special by ensuring their movement is intersectional, connecting the struggle for immigrant justice with queer liberation, racial justice, and a critique of American colonialism.

Soñando Juntos's biggest priority is organizing to demand a clean DREAM act: a permanent legal solution for the roughly 800,000 young people granted a temporary reprieve by Barack Obama in 2012 that doesn't include a border wall or new anti-immigrant policies. They've staged direct actions at congressional offices, led marches, and

organized *fronterizx* youth to travel to Washington, DC, to demand changes at the highest levels. Their strength is in getting undocumented youth to build alliances with each other, and in using the personal experiences of their members to inspire collective action.

A s co-leader of *Soñando Juntos*, Alonzo Mendoza, 28, put it of the situation under Trump, "Even though I'm not an immigrant, I'm a queer person of color, and my other identities are being attacked."

The youth are banding together to support each other's rights despite their varying legal status. "When we started organizing it felt like there was nothing in El Paso for immigrant youth. We basically started from zero," added Roberto Valadez, a 24-year-old college graduate. "We asked ourselves why immigrant youth in an 80 percent Latino community weren't organized here like they were in Chicago, LA, or New York. And we think that's because of border militarization."

Mexicans on the US side of the US-Mexico border have had to keep an eye open for the Border Patrol—known as *la migra*—since 1924. Yet in the past 30 years, there's been an unprecedented surge in border militarization. Since 1993, the Border Patrol's budget has increased tenfold, and the number of agents has doubled. Meanwhile, the border has become a dumping ground for a host of military technologies ranging from "Predator Drones" to heat detection sensors—much of which is repurposed equipment that had been used in the Iraq and Afghanistan wars. And a string of checkpoints surrounding cities like El Paso and Las Cruces, New Mexico, keep even legal residents feeling watched and unsettled.

Valadez entered activism in the days following Donald Trump's election, a time of extreme insecurity for immigrants and border communities of all stripes. In El Paso, the local border patrol union had voted to back the national union's endorsement of the Republican race-baiter. Statewide, legislators pushed through SB4, a law which (if it isn't permanently struck down) would have fined local authorities who refused to comply with ICE and allowed cops to ask anyone about their legal status for any reason at any time.

Valadez and Mendoza quickly organized *Soñando Juntos*, or *Dreaming Together*, and began recruiting immigrant youth to join their ranks.

Born in Juárez, Mexico in 1993, Valadez came to El Paso when he was one. He grew up in the early years of intensive border policing, when agents poured into urban border communities during "Operation Hold the Line." His charisma is subtle. At first glance, he's a normal guy—average height, wears simple T-shirts, blue jeans, maybe a flannel here and there. But when you catch him on the political landscape, he's a different person. His fearlessness attracts people—especially other immigrant youth. He is wholly unafraid of sharing his status, and began doing so at a

time when elder organizers were urging him to keep certain details under the radar.

When President Obama initiated DACA, it paved the way for major changes in Valadez's life. The program enabled him to enroll in school, find legal employment and for the first time, feel confident enough to speak openly about his status and use it as a tool for social change.

Still, recruiting other immigrant activists was not an easy task, one that's become way harder under Trump. "The biggest barrier for us has been finding other undocumented youth that are willing to be vocal," Valadez said, "We already knew all the stories of abuse and all the disparities in the detention centers, but this newer climate is terrifying for people."

Roberto Valadez (left) and Noe Labrado (right) of Soñando Juntos speaking to demonstrators at a protest in El Paso, TX. Illustration by Zeke Peña.

According to Fernando Garcia, executive director of the Border Network for Human Rights, "People are afraid to buy groceries or take their kids to school, because if they are confronted by this apparatus the consequence is separation, detention, deportation."

Still, Soñando Juntos used Facebook and word of mouth to slowly build a network of committed foot soldiers in the fall of 2017. The group is part of the umbrella immigrant-lead organization United We Dream that has an estimated 400,000 members across the country. Their greatest weapon has been collaboration: Valadez helped found a coalition of student groups called Education Not Deportation, which launched a campus organizing campaign.

It was during this feverish time of organizing that he met Claudia Yoli. Yoli, 25, moved to El Paso from Venezuela when she was eight years old. Like Valadez, she grew up in a militarized border shaped by checkpoints and intensified border policing. "We had to be really careful about saying we were immigrants, but because of our accents, it was clear we were not from El Paso," she told me.

As Yoli came of age, she applied for a green card but was denied and had to turn down the chance to go to her dream college due to her ineligibility for federal financial aid, she recalled. In fact, by the time of her entry into the DACA program, Yoli was already in removal proceedings. She channeled these experiences into activism—working not just on immigration issues but also reproductive rights and voter education. When she joined Soñando Juntos, she was already a seasoned activist, ready to recruit others and share her story.

"Because we are a hyper militarized community, ours is a cultural type of work," she explained. "There has been so much stigma around being undocumented, so as young people stepping forward with our stories, we create change."

At marches, Valadez, Yoli, and Mendoza rally the troops in chants and carry their banner. When Valadez steps

in front of the microphone, he entralls the audience with his honesty: "My name is Roberto Valadez, I am undocumented, and I am a DACA recipient."

Three years ago, it would have been hard to imagine activists making such proclamations publicly in El Paso. But by declaring their reality, Valadez and Yoli are working to destroy the stigma associated with legal status.

Soñando Juntos, along with the group Education Not Deportation, launched a petition for the University of Texas El Paso to designate itself as a Sanctuary University, pledge support for international students, and permanently eject Border Patrol from campus. The latter demand was an especially crucial one for organizers, who were troubled by the increasingly common migra bike patrols disrupting campus life. The students organized a successful walk-out that drew over 100 faculty and staff on November 9, 2017—a remarkable feat at a commuter school without much of an activist presence. For Mendoza, this was a seminal moment.

"After the walk-out, so many people wanted to speak at the rally," he said. It really showed that there's a lot of interest in social justice with the youth in El Paso and if we cultivate that culture here, it has potential to grow."

This youth movement is a non-violent one, settling on noisy, public protests designed to demand the attention of the general public, as well as to disrupt "business as usual." Such tactics have also been a mainstay of movements from Occupy Wall Street to Black Lives Matter, the latter using non-violent direct action to bring attention to police brutality and issues affecting African-American communities. Nonviolence has also long been a staple of Chicano organizing, but in recent memory, many immigration-related organizations took a more cautious approach to protest, opting instead for softer political demonstrations like vigils and press conferences or bringing constituents to city councils.

Despite the danger of arrest and the consequences that could have for some of their own, Soñando Juntos is all about performative, spontaneous, confrontational protest. They actively call out politicians who fail to deliver on promises and intentionally try to create a raucous atmosphere. Their chants are provocative—directly critiquing the system of deportations and consistently slamming groups like ICE and Border Patrol. This unabashed style has put new pressure on local politicians, school administrators, and the press to take them more seriously.

"Historically, a lot of organizations in El Paso have been advocating for immigrant rights, but Soñando Juntos was the first group that really brought young DREAMers and undocumented youth together in the community," Yoli said.

Valadez added, "We're are creating a culture where people are no longer afraid or ashamed of who they are."

'Sisters' Help Women Sex Trafficked From China Flee U.S. Massage Parlors

Reuters, March 12, 2018

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

A Case That Threatens The Most Fundamental Of American Values

By Sarah Sherman-Stokes

The Hill, March 12, 2018

On Feb. 27, the U.S. Supreme Court issued a decision in the long-fought case of Alejandro Rodriguez, holding that noncitizens do not have a statutory right to a bond hearing while in immigration detention. Put simply, in a splintered 5-3 decision, the court held in *Jennings v. Rodriguez* that the indefinite detention of noncitizens is authorized by statute. That, in fact, green card holders and refugees can be locked up in jumpsuits and held in cells, referred to by number rather than name, for months, or even years, without allowing a judge to review the necessity of such detention.

Make no mistake, the court's decision is a devastating blow to noncitizens facing deportation — a group that has grown, and continues to grow, exponentially during this administration.

The case began with Mr. Rodriguez, a longtime lawful permanent resident from Mexico, who was brought to the United States as a baby, and later faced deportation following a conviction for misdemeanor possession of a controlled substance. The U.S. government has broad discretion to detain noncitizens, and the immigration statute dictates that certain classes of noncitizens are subject to so-called "mandatory detention." As a result, despite his long residence in the United States and minor crime, Mr. Rodriguez was not entitled to a bond hearing during his more than three years in detention.

He later appealed his case to the Ninth Circuit, which held that immigrant detainees and asylum seekers can't be detained indefinitely, and are in fact entitled to a bond hearing every six months. It may come as a surprise that the Obama administration appealed that decision to the Supreme Court, but it should not. That the Trump administration has continued to fight the Ninth Circuit's decision is emblematic of the sometimes similar enforcement agenda shared by the two administrations; President Obama deported more noncitizens than any president in history, and immigration arrests under President Trump are up more than 70 percent in some parts of the country.

In the Rodriguez case, both administrations have argued that the court stepped on congressional toes, trying to impermissibly "make law" by reading into the statute a requirement that a bond hearing be held every six months.

In this case, the Supreme Court seemed to wrestle with both statutory and constitutional questions. Indeed, the immigration statute is a sometimes inscrutable labyrinth of cross-referenced statutory provisions. But here, said Justice Alito, writing for the majority, the statute was clear — and nothing in the statute provided a basis for imposing the requirement of bond hearings every six months. The majority did not reach the constitutional issue, despite a rehearing in October and subsequent request for supplemental briefing on that question, likely because Justice Kagan recused herself and the court was unable to cobble together a majority.

Whether or not the prolonged detention of noncitizens is constitutional remains an open question. Still, Justice Breyer, in an impassioned dissent, which he took the unusual step of reading from the bench, argued that "the majority's interpretation of the statute would likely render the statute unconstitutional." Justice Breyer and his fellow dissenters would have found that to read the statute as not requiring bail hearings would run afoul of the constitution.

The practical impact of the court's decision is startling. Today there are more than 38,000 people held in immigration detention across the United States. The months, and years, that they spend in immigration detention take them away from their families, communities and businesses. What's worse, the prospect of prolonged and indefinite detention leads many of these noncitizens, unable to withstand the physical and emotional toll of life behind bars, to give up meritorious claims for relief.

Indefinite detention without the opportunity to see a judge threatens the most fundamental of our American values. In 2001, the Supreme Court, in a decision written by Justice Breyer, held that freedom from prolonged immigration detention lies "at the heart" of the Due Process clause of the Constitution; that all persons, including immigrants, are protected from being deprived of their liberty without due process of law. But because the Supreme Court did not reach the constitutional question in its majority decision in *Jennings v. Rodriguez*, the case now returns to the Ninth Circuit. There, we will see just what is left of due process for detained noncitizens in this country.

Sarah Sherman-Stokes is associate director of the Immigrants' Rights and Human Trafficking Program at Boston University School of Law.

America's Immigrants Could Be A Source Of Strength For The Economy

By Robert Bixby

The Hill, March 12, 2018

A major argument used by proponents of last year's tax-cut legislation was that it would boost the economy. Regardless of how that turns out, partisans on both sides generally agreed that growing the economy over the long

term was an important goal. It is, therefore, odd that the debate over immigration reform has been so devoid of economic analysis.

Given the demographic headwinds facing the economy, the case for providing at least some undocumented workers with a pathway to citizenship, and for increasing legal immigration in general, is far more compelling than the case for large deficit-financed tax cuts.

Fundamentally, long-term economic growth depends upon an expanding workforce and making that workforce more productive. Higher economic growth would improve wages, bring in more federal revenues and help put the budget on a sustainable path.

Based on current trends, however, the outlook for growth is not encouraging.

The Congressional Budget Office (CBO) projects that the economy will grow at an average annual rate of just 1.9 percent over the next 30 years (adjusted for inflation). That would be a significant drop from the 2.6 percent average rate over the past 30 years.

The CBO is not being pessimistic. Demographic changes justify these slower-growth projections.

Since 1950, the growth in potential GDP (the maximum possible production of the economy if all resources were fully utilized) has been, in roughly equal parts, because of a growing labor force and rising productivity.

Over the coming decades, CBO projects labor force growth will be just one-third of the recent historical average as baby boomers retire, and productivity growth will be slightly below its average since 1950. This means that achieving growth anywhere near past levels will require new policies that increase the size of the labor force and improve productivity.

Many studies have indicated that higher levels of immigration could help with both. While it is not a magic bullet, it would be a source of strength for the economy.

The National Academy of Sciences (NAS) concluded in a 2016 report: "Immigration is integral to the nation's economic growth. The inflow of labor supply has helped the United States avoid the problems facing other economies that have stagnated as a result of unfavorable demographics, particularly the effects of an aging workforce and reduced consumption by older residents."

A 2017 Bipartisan Policy Center report said: "Immigration provides working-age population growth that helps support growing ranks of retirees. Immigrants also add to economic growth through innovation and entrepreneurship, assisting with productivity increases that help offset labor-force declines."

Increasingly, leaders of business and labor organizations are converging on the basic idea that pro-immigration policies are good for growth, wages and employment.

According to the NAS, "There is little evidence that immigration significantly affects the overall employment levels of native-born workers," and "The impact on the wages of native-born workers overall is very small." Negative impacts on wages are mostly found for prior immigrants "who are often the closest substitutes for new immigrants."

None of this means that the current immigration system is optimal, or that we should set aside concerns about border security. Immigration reform could change admission criteria while increasing, not decreasing, the total number of new immigrants. Moreover, there is no inconsistency in strengthening border security while increasing the number of legal immigrants.

Indeed, the bipartisan immigration bill that passed the Senate with 68 votes in 2013 would have added about 10 million people to the workforce over 10 years while investing in tougher border-security measures and creating a merit-based track for admissions.

According to CBO, the bill would have expanded GDP by 3.3 percent within 10 years and reduced the budget deficit by about \$135 billion. In contrast, the Joint Committee on Taxation projected that last year's tax cuts would increase GDP by an average of 0.7 percent over the first 10 years and increase the deficit by \$1.1 trillion.

There is a hole in our economic future: a shortage of willing and able workers. Immigration is the most direct and effective method of filling that hole. Closing our minds, and our borders, to that remedy would ignore a key building block for what has always made America great.

Robert L. Bixby is the executive director of The Concord Coalition, a non-partisan advocate of federal fiscal responsibility.

Cuts To H-1B Visas For Skilled Immigrants Hurt U.S. Economy

By Noah Smith

[Bloomberg View](#), March 12, 2018

The battle over tariffs may indicate that President Donald Trump has moved on from the immigration issue. When Democrats stymied Trump's plans to curtail family-reunification immigration, the chances of major legislation dropped substantially. But that doesn't mean that Trump is having no effect on immigration. Through a combination of executive actions and rhetoric, the president is deterring exactly the kind of immigrants that the U.S. most critically needs to keep its economy running.

Since coming into office, Trump has been making life harder for skilled foreigners working in the U.S. Trump temporarily suspended premium processing of H-1B visas, one of the main visas skilled workers use to enter the country. The only possible reason for that move was to harass visa applicants. Trump's administration has also made it harder to

give the visas to entry-level computer programmers, and increased its scrutiny of companies that hire workers on H-1Bs. As a result, the pace of H-1B approvals showed signs of slowing last year.

The decline in the percent of accepted applications suggests that the skilled worker drought isn't simply due to the atmosphere of racial exclusion created by Trump's rhetoric, or to the recent increase in hate crimes.

Thanks to Trump's restrictive policies, skilled workers from countries such as India are turning to Canada instead. Canada, where the racial anxieties of Trump's base are notably less prevalent, admits much greater numbers of high-skilled immigrants relative to its population. In 2017, it increased its intake of skilled workers by about 7.5 percent, and announced a new program to approve visas for these workers in two weeks – compared to six or seven months in the U.S.

So far, these trends have received little attention. Skilled immigration isn't the kind of issue that gets masses of activists marching in the streets. Democrats tend to focus on protection for undocumented immigrants. Republicans used to pay lip service to the idea of skilled immigration – and some still do – but spend the vast majority of their energy on trying to curb family-based legal immigration. Meanwhile, tech companies support more H-1Bs, but some workers oppose the program, believing that it steals jobs and/or reduces wages for native-born Americans.

This is a big problem, because skilled immigrants are a key part of the U.S. economy.

First of all, they're highly entrepreneurial – between 1995 and 2005, immigrants started more than half of the new businesses in Silicon Valley. As of 2011, more than 40 percent of Fortune 500 companies were started by immigrants or their children. It's impossible to know ahead of time which immigrants will start these companies, but they're much more likely to be those with decent technical training who come from families with a tradition of starting businesses – in other words, skilled immigrants.

They're also highly innovative. A 2017 study by economists Ufuk Akcigit, John Grigsby and Tom Nicholas examined patenting records, and concluded:

Technology areas with higher levels of foreign-born expertise experienced much faster patent growth between 1940 and 2000, in terms of both quality and quantity, than otherwise equivalent technology areas.

They go on to list a number of famous American inventions whose creators were born elsewhere.

As for driving down native-born Americans' wages, there is evidence that the worry is vastly overblown. It's true that the H-1B program tethers employees to their employers; for a worker on an H-1B to switch to a different company, the procedure can be time-consuming and annoying. There is some evidence that companies that win the chance to hire

more H-1B workers pay lower wages. But there's also evidence showing that H-1B workers are not paid less than native-born Americans, after accounting for their age and skill level.

Moreover, studies that find negative impacts of H-1Bs tend to look only at the specific companies that hire skilled workers. The presence of more smart people in an industry or a city cause new ideas and technologies to flourish. These then diffuse to companies, allowing business to innovate faster, hire more workers and pay higher wages. Skilled foreigners help keep new ideas flowing in technology clusters like Silicon Valley; Austin, Texas; and Raleigh, North Carolina.

In addition, having a thick market of smart workers in an area allows a lot of innovative companies to cluster there. Tech companies put their offices in high-cost California because that's where the engineers live. And engineers move there because that's where the companies are.

This is why even if they lower wages at a particular company, H-1B workers raise native-born wages overall. A 2015 study by economists Giovanni Peri, Kevin Shih and Chad Sparber found:

Increases in [foreign] STEM workers are associated with significant wage gains for college-educated natives. Gains for non-college-educated natives are smaller but still significant. Our results imply that foreign STEM [workers] increased total factor productivity growth in US cities.

If Trump's immigration policies break this virtuous cycle, the tech industry could eventually decide to make its home elsewhere – in immigrant-friendly Canada, or even in emerging economies of China and India. That would result in many fewer good jobs, and lower wages, for American workers – skilled and unskilled alike.

The U.S. is playing a very dangerous game under Trump. By systematically degrading one of the nation's core strengths – the constant inflow of smart, entrepreneurial foreigners – Trump is putting the native-born populace at risk, not helping it. Instead of limiting the H-1B program, the U.S. should replace it with a Canada-style system that gives green cards to skilled foreign workers. It may not get many people marching in the streets, but skilled immigration is an issue that matters for the future of every American.

This column does not necessarily reflect the opinion of the editorial board or Bloomberg LP and its owners.

IMMIGRATION ENFORCEMENT

Sanctuary Cities Putting Money In Hands Of Cartels, Trump Administration Says

By Stephen Dinan

Washington Times, March 12, 2018

Sanctuary cities are actually enticing more people to pay smugglers to help them make the dangerous trek north, not only putting people at risk but also enriching the smuggling cartels themselves, a senior administration official said Monday.

The senior official also gave sanctuary cities a choice: either allow his deportation officers in their jails to arrest illegal immigrants, or else he'll have to send the officers out into the streets to get people in the communities.

"The more people I have in the jail the less people I have to send out on the street to look for them," the official said, speaking on condition he not be named as part of a background briefing set up by the White House ahead of President Trump's trip to California Tuesday.

The White House did authorize Thomas Homan, deputy director of U.S. Immigration and Customs Enforcement, to speak on the record, and he said he's seen police and sheriff's departments pull out of anti-drug and anti-smuggling task forces because of the sanctuary laws.

"Local law enforcement had to leave these task forces because they weren't allowed to work on them," he said.

Officials billed the call as a chance to answer what they said were misconceptions about sanctuary city policies, particularly in California. That state last year enacted three laws that prevent local law enforcement from asking people their immigration status and from holding migrants for pickup by ICE, and limits how much information they're allowed to provide to ICE officers; orders businesses to refuse voluntary cooperation with ICE; and orders state investigators to probe the federal government's handling of immigrants held in detention facilities in the state.

The Justice Department last week sued to block those three laws, prompting an outraged response from Democrats who control the state's government.

"This is basically going to war against the state of California," Gov. Jerry Brown said.

He bristled at accusations that federal officers were being blocked from access to local jails.

"That's not true. We know the Trump administration is full of liars," he said.

Mr. Homan, though, said the state's own sheriff's association has said it cannot fully cooperate with federal authorities under the outlines of Mr. Brown's law.

Mr. Homan also blasted U.S. House Minority Leader Nancy Pelosi, who called ICE enforcement actions last month "unjust and cruel."

Mrs. Pelosi and other anti-Trump politicians have urged ICE to focus on illegal immigrants with what they deem serious crimes on their records, and forgo deporting most illegal immigrants.

Mr. Homan countered that Mrs. Pelosi and others in Congress can change the laws, but for now, the laws give his agents and officers the duty of arresting people in the country

illegally and putting them through the immigration courts, where they are ordered deported — orders his agency then must carry out.

The senior administration official gave a detailed list of ills he said stemmed from California's sanctuary laws, saying the cartels that control all of the human smuggling across the U.S.-Mexico border are using sanctuaries as "a selling point" to would-be illegal immigrants.

"This sort of carrot-dangling ... is going to entice more illegal immigrants," the official said, adding that means more money going to the same cartels that also could smuggle in weapons, drugs and even terrorists.

"We're bankrolling them with these sanctuary policies," the official said.

When ICE is seeking an illegal immigrant target and knows the person has been booked into a local prison or jail it will send a detainer request both asking to be notified before the person is released, and for the person to be held for up to 48 hours after the normal release point for pickup.

The senior official said ICE has concluded both requests are legal, but he would be satisfied if local law enforcement at least gave the heads-up before release, giving his officers a chance to collect targets before they're released into the community.

He said one officer operating in a jail can process 10 illegal immigrants in a day, but if those 10 are all released it takes six-man teams days, weeks or even months to track them down out in the community, where everyone is at more risk.

ICE Director Hits California Democrats

By Luis Sanchez

The Hill, March 12, 2018

Acting Director of Immigration and Customs Enforcement (ICE) Thomas Homan on Monday slammed House Minority Leader Nancy Pelosi (D-Calif.) and Sen. Dianne Feinstein (D-Calif.) for their recent criticisms against his agency.

During a press call with reporters, Homan slammed Pelosi for characterizing ICE as a threat to immigrant communities.

"How dare she say we are terrorizing communities," Homan said, arguing that it's the immigrants in country illegally that ICE arrested who are posing the threat.

Homan argued that ICE does not arrest innocent people and said that, during the agency's operation in Los Angeles in February, 88 percent of the people arrested were convicted criminals.

He added that in all of California, 81 percent of those arrested by ICE were criminals.

"Her quote was beyond the pale," Homan said.

"Just last week, President Trump decided to terrorize innocent immigrant families in the Bay Area with his unjust

and cruel raids," Pelosi said on Wednesday about recent ICE immigration raids. "The President has now desperately decided to brazenly abuse the legal system to push his mass deportation agenda."

The acting director also went after Feinstein, who had said the Trump administration was targeting California to score political points with his base.

Homan said that ICE was merely enforcing immigration laws that Congress had empowered them to execute.

"If people don't like it, people like Nancy Pelosi and Dianne Feinstein can certainly change the law, they are legislators," Homan said.

He also criticized Feinstein for attacking ICE even though she voted in favor of the Immigration Control and Financial Responsibility Act of 1996 that gave ICE the authority to carry out such operations.

The ICE chief also recently went after Oakland's mayor after she warned her city about upcoming immigration raids before they were carried out.

"She gave them warning, and there's 800 that we were unable to locate because of that warning, so that community is a lot less safe than it would have been," Homan said on "Fox & Friends."

The Trump administration sued California last week over three laws that it claims prevent immigration officials from enforcing federal immigration laws.

Trump will visit California for his first time as president on Tuesday to inspect prototypes for his proposed wall along the southern border.

White House Slams 'Sanctuary' Supporters In Advance Of Trump Visit

By Josh Gerstein

Politico, March 12, 2018

As President Donald Trump prepares for his first trip to California since taking office more than a year ago, the White House is lashing back at prominent Golden State politicians who've trained their fire on Trump's aggressive enforcement of immigration laws.

The acting head of Immigration and Customs Enforcement — Thomas Homan — took aim Monday night at House Minority Leader Nancy Pelosi for denouncing Trump's immigration policies as "cowardly" and for accusing immigration officers of terrorizing immigrants in California.

"How dare she say we're terrorizing immigrant communities?" Homan said in a conference call the White House organized with reporters. "Our officers are protecting the immigrant community in many ways."

Pelosi has repeatedly declared Trump's enforcement efforts as "cowardly," invoking the term last year in response to a decision to end protections for Nicaraguan citizens who've been in the U.S. for a couple of decades, to

immigration raids launched in California earlier this year and to a lawsuit the Trump administration filed last week challenging the constitutionality of three so-called "sanctuary" laws the state passed last year.

However, the immigration chief said Pelosi's remarks were an insult to his officers.

"You're talking about law enforcement people that get up every day and leave the safety and security of their home and their families and strap a gun to their hip every day to defend this nation. That's the farthest thing from cowards you're ever going to see," Homan said. "So, her quotes were just beyond the pale."

Homan also faulted Pelosi and Sen. Dianne Feinstein (D-Calif.) for criticizing ICE officers who are carrying out Congressional directives.

"If people don't like it, people like Nancy Pelosi and Dianne Feinstein, they can change the law, they're legislators," he said.

Homan argued that by denying immigration officers access to local jails, local and state officials are endangering those officers and increasing the chance that a wanted immigrant's family members and associates will be arrested in a raid carried out in the community. He also faulted Gov. Jerry Brown (D-Calif.) and others for denying ICE access to a California database tracking suspected gang members.

In another portion of the call, two Trump administration officials who spoke on condition of anonymity accused sanctuary jurisdictions of bankrolling human smuggling operations by encouraging would-be illegal immigrants to believe they will face few consequences in the U.S. The federal officials also defended the use of immigration laws to detain anyone in the country illegally, regardless of their criminal history or ties to the United States.

"When we remove someone who's been here and has a U.S. citizen child, they're difficult cases, these are not easy cases for us," said one official. "You shouldn't get a pass just because you're able to hide well for ten years. And they know they're in the country and they choose to have a child in this country knowing it'll be a U.S. citizen by virtue of birth, they put themselves in that position. So, to vilify the men and women of ICE for enforcing the law and to execute a judge's orders that are lawfully given, it's just unfair to the men and women of ICE to put them in that position."

Trump also turned his attention to the immigration issue in advance of his trip, which is expected to include a stop to visit border wall prototypes being tested near San Diego. On Monday, he retweeted a message from Rep. Mark Meadows (R-N.C.), urging that the federal government cut off funds to so-called "sanctuary" jurisdictions.

"The president did say the omnibus should not fund the sanctuary cities," White House spokesman Hogan Gidley said.

The administration is already seeking to block cities and states with so-called "sanctuary" policies from certain Justice Department and Homeland Security Department grant funds. Supreme Court ruling restrict the federal government's authority to tie other funding or all federal funding to such conditions.

'We Don't Arrest Innocent People'

Washington Examiner, March 13, 2018

Acting Director of Immigration and Customs Enforcement Tom Homan said his agency does not arrest law-abiding people, after it was revealed ICE officers have been arresting individuals who have allegedly breached U.S. immigration laws in California.

"We don't arrest innocent people," Homan told reporters Monday evening.

The comments were made in response to House Minority Leader Nancy, D-Calif., who has slammed the raids as "intended solely to terrorize innocent immigrant families and instill fear in the hearts of our communities" rather than protect Americans.

Homan said Pelosi's comments were "beyond the pale" and argued the people ICE arrested are the ones who terrorize immigrant communities.

Additionally, administration officials pushed back on claims concerning "sanctuary cities," where policies passed by local governments instruct law enforcement to not turn over illegal immigrants to federal officials without a warrant. Administration officials told reporters Monday evening sanctuary cities harm public safety and argued sanctuary cities specifically harm immigrant communities because they allow criminals to be released back into their communities.

"This is an area where there should be broad bipartisan consensus," an administration official said.

Homan also reiterated ICE is enforcing U.S. law and said if Pelosi and Sen. Dianne Feinstein, D-Calif., do not support the current laws, they should change them.

The comments come after more than 150 people suspected of violating federal immigration laws were arrested by ICE late last month. Those arrested now are facing prosecution or deportation, Homan said last week.

Additionally, the Justice Department filed a lawsuit last week in a Sacramento federal court that argues three California laws passed last year undermine federal immigration law. The Trump administration supports nullifying the laws.

'Beyond The Pale:' ICE Chief Blasts California Dems For Attacking Immigration Agents

By Will Racke

Daily Caller, March 12, 2018

Immigration and Customs Enforcement Acting Director Thomas Homan charged leading California Democrats

Monday, saying they were deliberately distorting the nature and purpose of recent immigration operations in the state.

Homan singled out House Minority Leader Nancy Pelosi, who in February said a targeted ICE operation in northern California was a "bigoted" attempt to "terrorize innocent immigrant families."

Pelosi's comments were "beyond the pale," the ICE chief said.

"Our ICE officers are protecting immigrant communities" by arresting criminal aliens who live among law-abiding immigrants, Homan told reporters. ICE officers "don't arrest innocent people" during targeted operations, Homan said and added they arrest only those with previous criminal convictions or pending orders of removal.

Homan, whose nomination to become the permanent ICE director is stalled in the Senate, also heaped on two of Pelosi's fellow California Democrats — Gov. Jerry Brown and Sen. Dianne Feinstein — for their own criticism of the agency's work in the state. Feinstein, in particular, seemed to be attacking ICE in hypocritical fashion, he noted.

"She voted for the very laws we're enforcing," he said, referring Feinstein's support of the Immigration Control and Financial Responsibility Act of 1996, which stiffened penalties for some immigration-related offenses.

Homan's comments came on the eve of President Donald Trump's visit to California, which has become hostile territory as far as his administration's immigration agenda is concerned. California under Brown has become the nation's foremost sanctuary state, thanks to a series of new laws that sharply circumscribe cooperation between immigration authorities and local officials, police and businesses.

The Trump administration responded last week by suing California over its sanctuary laws. California's policies amounted to a subversion of federal law, Attorney General Jeff Sessions said in a speech to Sacramento law enforcers.

"There is no nullification; there is no secession," Sessions said. "Federal law is the supreme law of the land. A refusal to apprehend and deport those, especially the criminal element, effectively rejects all immigration law and creates an open borders system."

"Open borders is a radical, irrational idea that cannot be accepted," Sessions added.

Trump's administration is seeking to correct what it sees as a misguided view of sanctuary cities journalists and liberal politicians hold, amid heated rhetoric on both sides of the debate. Far from protecting immigrants, sanctuary jurisdictions enable dangerous criminal aliens to commit more crimes in the heavily immigrant communities in which they live, a senior administration said.

Trump Immigration Officials Take Aim At California Politicians Ahead Of Presidential Visit

By Noah Bierman

Los Angeles Times, March 12, 2018

White House officials ratcheted up their fight with California politicians over immigration policies ahead of President Trump's visit Tuesday, briefing reporters Monday night on what they called "misconceptions" being propagated by leading Democrats in the state.

Thomas D. Homan, acting director of U.S. Immigration and Customs Enforcement, took particular exception to a comment by House Democratic leader Nancy Pelosi of San Francisco, who contended last week that the administration was engaged in "cowardly attacks" against immigrants when the Justice Department sued the state over its immigration laws.

"Her quotes were just beyond the pale," Homan said, taking Pelosi's words as an attack on immigration officers.

The U.S. ambassador to the United Nations, Nikki Haley, blamed Russia and its allies Monday for violating a humanitarian ceasefire in Syria, and excoriated the U.N. Security Council for failing to guarantee the truce.

Haley also warned that the Trump administration "remains prepared to act," as it did last April when U.S. missiles were fired at a Syrian government airbase that was used to drop nerve gas on civilians.

"It is not the path we prefer, but it is a path we have demonstrated we will take, and we are prepared to take again," Haley told the Security Council, which met in special session. "When the international community consistently fails to act, there are times when states are compelled to take their own action."

President Trump plans to host Saudi Arabian Crown Prince Mohammed bin Salman at the White House next week, Press Secretary Sarah Huckabee Sanders announced Monday.

Prince Mohammed attracted controversy in November when he orchestrated a purge of dozens of people, including sitting cabinet members and a fellow prince. The move was seen as an effort to consolidate power. The regime portrayed the sweep as a crackdown on corruption and an effort to attract foreign investment and reduce the country's historic dependence on oil.

Sanders declined to say whether Trump would raise human rights issues with the heir to the throne.

President Trump's well-documented clashes with California owe plenty to politics, culture and personality. But at bottom, what drives the president's toxic relationship with the nation's most populous state is this: his near-obsessive desire to be seen as a winner.

No state represents losing for Trump more than California, whether in business or politics. No surprise, then, that he didn't rush to visit. He arrives on Tuesday later into his term than any president since Franklin D. Roosevelt, back when presidents weren't flying routinely; FDR crossed the continent by train.

Warnings begin as soon as you arrive. Beware of the potholes.

They're everywhere in this Michigan city near Detroit, rattling travelers' teeth and popping tires, making for a lunar-like obstacle course. Local television newscasters hand out gift cards for tire repairs amid their reports on banged wheel rims and stranded motorists. "POTHELL!!" blared a recent headline in the Detroit Free Press.

Republicans desperate to hold onto a congressional seat in the heart of Trump country received more bad news Monday, just days after the president parachuted into western Pennsylvania to give their struggling candidate a boost.

Republican Rick Saccone, according to a new Monmouth University poll, is still losing ground in Tuesday's election to fill a vacant seat in the district near Pittsburgh that Trump won by 20 points. Some \$8 million in spending by national Republican groups aimed at propping up the state lawmaker hasn't seemed to give him the boost he badly needs to take a lead against his political-neophyte opponent, Conor Lamb.

The poll found Lamb leading 51% to 45% if turnout reflects the patterns of other similar special elections held this year, in which there was a Democratic surge. Even if turnout is lackluster, as it tends to be for a routine special election, the poll still shows Lamb winning by two points.

Minutes before President Trump entered the White House Roosevelt Room on Thursday to announce sweeping tariffs on imported metals, the president's economic A-team stood stone-faced near the president's podium — but not Peter Navarro.

The 68-year-old former UC Irvine economics professor looked almost gleeful as he waited for Trump to issue final orders levying 25% duties on foreign steel and 10% on aluminum, all in the name of national security.

Treasury Secretary Steven T. Mnuchin on Sunday defended President Trump's spree of name-calling at a campaign rally on Saturday night, including the president's renewed mocking of Rep. Maxine Waters (D-Los Angeles) as "a very low IQ individual."

At the raucous Pennsylvania rally for Republican House candidate Rick Saccone, Trump derided Waters for calling for his impeachment, imitating her as supposedly declaring, "We will impeach him. We will impeach the president. But he hasn't done anything wrong. It doesn't matter, we will impeach him."

Mnuchin, appearing on NBC's "Meet the Press," said Trump's verbal assaults were intended to be humorous.

President Trump tweeted Saturday that he believes North Korea won't conduct any more missile tests as he plans to meet with the country's leader, Kim Jong Un.

It was a noteworthy vote of confidence in North Korea's intentions as the leaders of the two countries prepare for what could be a historic meeting.

North Korea has been testing intercontinental ballistic missiles that may be capable of carrying a nuclear weapon across the Pacific Ocean to the continental United States.

The Trump administration Saturday took a step toward possibly banning "bump stocks," proposing new regulations to prohibit ownership of the controversial equipment that allows semiautomatic rifles to fire at automatic speeds.

Under the proposed rule from the the Department of Justice, bump stocks would be classified as machine guns that are currently banned under federal law.

"President Trump is absolutely committed to ensuring the safety and security of every American," Atty. Gen. Jeff Sessions said in a statement.

Trump Administration: Moving 'Sanctuary' Lawsuit To San Francisco 'Makes No Sense'

Josh Gerstein on the Courts, Transparency, & More
By Josh Gerstein

Politico, March 12, 2018

The Trump administration will oppose efforts to move the federal government's newly filed lawsuit over California's so-called sanctuary laws to San Francisco from Sacramento, according to a new court filing.

In a submission to Sacramento-based U.S. District Court Judge John Mendez on Monday, Justice Department lawyers seemed to ridicule the transfer proposal floated last week by attorneys from the office of state Attorney General Xavier Becerra.

"It is remarkable that the State of California would seek to delay this matter primarily so that it can avoid litigating in its State capital. There is no basis to seriously entertain this request that the case be transferred," Justice Department lawyers wrote. "California's wish to defend these challenges in another federal judicial district in San Francisco, where the State capital is not located and where the official Defendants do not reside, makes no sense."

Lawyers from Justice's Office of Immigration Litigation called the state's transfer suggestion "meritless," despite the fact that attorneys for the state have yet to file a formal motion seeking the transfer. In a scheduling filing last Friday, lawyers from Becerra's office said a transfer to San Francisco would be warranted because a judge there is already considering a case that involves a federal law seeking to prohibit certain local and state policies from preventing cooperation with immigration authorities.

Justice Department attorneys, however, pointed out on Monday that the suit California filed against the federal government last year has to do with the Trump administration's efforts to condition federal grants on certain immigration-related policies, while the new suit alleges that new California laws are unconstitutional because they interfere with Congress' attempts to set national immigration policy.

"That case is about the Attorney General's authority to issue law enforcement grants and the limits on that authority," the federal lawyers wrote. This case is about whether three California laws violate the Supremacy Clause. Any overlap between the cases is minimal, and limited to just certain arguments concerning one of the three laws challenged here."

In the new filing, the Justice Department also asserted that Gov. Jerry Brown and Becerra — both named as defendants in the new suit — "can hardly argue that it is more convenient for them and their employees to travel some 90 miles to San Francisco rather than walk a few city blocks to this courthouse for proceedings."

Just a day before the Trump administration filed suit in Sacramento last week, the judge handling the San Francisco case — U.S. District Court Judge William Orrick — rejected the state's request for a preliminary injunction against enforcement of the federal law targeting sanctuary policies.

However, the state appears to prefer to have the new suit heard by Orrick, who issued both preliminary and permanent injunctions blocking enforcement of an early executive order from President Donald Trump that appeared to seek to limit the flow of federal funds to jurisdictions with sanctuary policies.

Orrick was appointed by President Barack Obama. Mendez, the judge who was assigned the suit filed in Sacramento last Tuesday, is an appointee of President George W. Bush.

Josh Gerstein is a senior reporter for POLITICO.

Federal Law Reigns On Immigration. California, Cooperate With ICE

By Robert C. Bonner

Sacramento (CA) Bee, March 12, 2018

In our federal system, state and local officials cannot pick and choose which federal laws they wish to follow. However, this is exactly what is occurring as California politicians have taken increasingly overt measures to keep the federal government from deporting migrants here illegally.

While standing in the way of immigration enforcement might seem like the "right thing to do," as Oakland Mayor Libby Schaaf put it, her warning was an affirmative act that prevented the federal government from legally arresting

fugitives – many of them criminals. It's one thing to disagree with federal law; it is another to obstruct it.

Regardless of the legal outcome, it makes sense for local officials to provide a basic level of cooperation. Not only would this help prevent criminals who are in the country illegally from preying on others, but it would also reduce the need for ICE officers to go out into the community to apprehend these individuals.

Unfortunately, heated rhetoric, like the salvos exchanged last week by U.S. Attorney General Jeff Sessions and Gov. Jerry Brown, does little to promote rational discourse. So, what are the merits of the federal government's lawsuit against the state of California challenging three laws designed to protect individuals illegally in the U.S. from deportation by federal authorities?

Under the U.S. Constitution, the responsibility for making and enforcing immigration laws lies with the federal government, not the state of California. Simply put, this means that when Congress enacts a law, the executive branch of the federal government has the responsibility to enforce it, in this case through U.S. Immigration and Customs Enforcement (ICE).

U.S. immigration law makes it illegal for an alien without authorization to enter or stay in the U.S. Under federal law, it is ICE's responsibility to remove foreign citizens who are illegally present in the United States to their country of origin.

Under the U.S. Constitution's supremacy clause, federal law prevails over state laws that conflict with or otherwise thwart the ability of federal officials to enforce federal law. This is fundamental to making our federal system work, and it is at the core of the DOJ's lawsuit.

One of the challenged California laws requires employers to notify employees 72 hours after receiving an ICE inspection notice and subjects an employer to substantial fines for failure to do so. Yet by doing so, an employer who fails to give this "notice to flee" is potentially subject to a federal charge of obstructing justice.

Another, contrary to federal law, gives the California attorney general authority to access records of aliens being detained on ICE's behalf. A third law, Senate Bill 54, prohibits local officials, principally sheriffs who run the local jails, from notifying ICE regarding release dates of convicted criminal aliens or otherwise cooperating with ICE, unless the alien has been convicted of one of a listed number of crimes.

In all likelihood, the federal courts will strike down the first two provisions, but SB-54 is a closer question. Under our federal system, although cooperation between federal and local and state authorities is the norm – indeed, our federal system would not function well without it – there is no requirement that local officials affirmatively assist the federal government in carrying out federal law.

However, regardless of the legal outcome on this point, for public safety reasons, it makes sense for local officials to

provide a basic level of cooperation, such as timely notice to ICE before release of deportable, criminal aliens. Not only would this help prevent criminals who are in the country illegally from being returned back to their community to prey on others, but it would also reduce the need for ICE officers to go out into the community to apprehend these individuals.

ICE is much maligned. But Californians should keep in mind that its officers are only enforcing the laws Congress enacted. While the state has no obligation to assist ICE, under our federal system it should refrain from impeding it.

Robert C. Bonner is a former federal district judge and former commissioner of U.S. Customs and Border Protection. Reach him at rbonner@phillipsandr.com.

Jeff Sessions' Lawsuit Against California Only Makes One Good Argument

By Erwin Chemerinsky

[Sacramento \(CA\) Bee](#), March 12, 2018

The United States suit against California is not the first time the federal government has sued a state, but it is the only time I can think of where such a suit was brought against a state government that was trying to do more to protect the rights of its residents.

Typically, the U.S. government has sued a state to enforce civil rights, such as the Obama administration's litigation against Georgia to protect students with disabilities and against North Carolina for discriminating against transgender students. In fact, throughout American history, "states' rights" have been invoked as an excuse for state governments to have slavery or maintain segregation or resist federal civil rights laws.

Now, though, federalism has been turned on its head and it is California invoking states' rights to protect its residents from the Trump administration's repressive federal immigration policies. It is ironic to see conservatives who for so long have championed states' rights now embracing federal power.

The suit filed by the Justice Department concerns three different California laws. The Trump administration claims that each statute is preempted by federal law because it impedes federal immigration enforcement efforts.

One statute being challenged is the California Values Act, which prevents state and local agencies in California from sharing information with federal immigration officers about criminals or suspects unless they have been convicted of serious crimes. In other words, cities in California are not allowed to tell Immigrations and Customs Enforcement about people in their jails until and unless there has been a conviction for a serious crime.

Astoundingly, after this was enacted, Thomas D. Homan, the acting director of United States Immigration and Customs Enforcement, said that the state elected officials

who support the policy should be arrested. "We've got to start charging some of these politicians with crimes," he said.

Under Supreme Court precedents, this California law should be upheld. The Supreme Court has ruled that the federal government cannot coerce state and local governments to cooperate with federal mandates.

For example, in *Printz v. United States* in 1997, the court declared unconstitutional a provision of the federal Brady Handgun Control Act which required that state and local governments do background checks before issuing permits for firearms. The court said that this impermissibly commandeered state and local governments. Likewise, forcing state and local governments to share information is unconstitutionally coercing their actions.

A second aspect of the federal suit concerns a part of the state budget bill that gives the state attorney general the power to monitor immigration detention centers in the state. A state has no authority to monitor federal facilities.

But this is about local jails that contract with the federal government to hold detainees and private facilities that contract with the federal government. Here, California is again on strong constitutional grounds to make sure that those detained in the state are treated humanely and their rights are respected. The state is not impeding the federal government's immigration policies when it inspects the conditions of detention facilities.

Finally, the lawsuit challenges the California Immigrant Worker Protection Act, which prohibits employers, or persons acting on behalf of the employer, from providing "voluntary consent" to the entry of an immigration enforcement agent to "any nonpublic areas of a place of labor." The law also prohibits employers, or persons acting on behalf of the employer, from providing "voluntary consent" to an immigration enforcement agent "to access, review, or obtain the employer's employee records."

Employers who violate these provisions are subject to civil penalties of \$2,000 to \$5,000 for a first violation, and \$5,000 to \$10,000 for each subsequent violation. Simply put, the law prohibits employers from allowing immigration officials into the non-public areas of workplaces or from sharing information about employees unless there is a subpoena or a warrant.

This provision is most vulnerable to challenge. The federal government has its strongest claim that the state is interfering with federal immigration enforcement. At the same time, the federal law is not compelling any action by the state or local governments.

Underlying this lawsuit are vastly different perspectives about immigration law. Donald Trump and Jeff Sessions see undocumented immigrants as dangerous criminals who must be deported. California sees people who contribute greatly to the states' economy and views the federal policy as one that will break up families, deport Dreamers, and ruin lives.

This is a battle that will continue throughout the Trump years in the White House. The lawsuit is just the most recent chapter in this fight.

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California's Pro-Immigrant SB 54 Law Should Survive Trump Attack

By Noah Feldman

[Bloomberg View](#), March 12, 2018

Donald Trump's first visit as president to the hostile territory of California highlights his struggle with the state. Most recently that battle has been over the sanctuary laws that the state Legislature has passed and that Trump's lawyers have challenged in court.

Yet it's worth recalling that California has a long history of acting like a republic unto itself on immigration — and that, not so long ago, the state was more hostile to immigrants than the federal government, not less.

Travel in time with me back to 1994. At that time, the state voted overwhelmingly (59 percent to 41 percent) by referendum to adopt Proposition 187, also known as the Save Our State initiative (SOS, get it?). Republican Pete Wilson was governor, and he rode his support for the initiative to a successful run for a second term.

Prop 187 was the polar opposite of the sanctuary laws recently adopted by the state. It imposed an affirmative obligation on California law-enforcement officials who suspected that an arrestee might be undocumented to investigate the person's immigration status and report the person to the Immigration and Naturalization Service. Local governments were ordered to comply.

The same investigation requirement applied to anyone seeking public benefits from the state — benefits like health care, education and welfare that the initiative expressly denied to undocumented people.

Pro-immigrant advocates challenged Prop 187 in federal court. A district court blocked almost every aspect of the initiative from taking effect. The judge's reasoning was that Congress, not California, has legal authority over immigration. "California," she held, "is powerless to enact its own legislative scheme to regulate immigration ... It is likewise powerless to enact its own legislative scheme to regulate alien access to public benefits."

Governor Wilson filed an appeal, but when Democrat Gray Davis succeeded him, in 1999, he withdrew the appeal in favor of a mediation that ended up scrapping the initiative.

The judge's ruling accurately depicted the politics of the initiative: California voters wanted to establish their own immigration regime, far harsher than the one adopted by federal law.

Today California politics have changed markedly — but the state is still pursuing a policy strikingly different from federal norms.

Senate Bill 54, which is now state law, specifically prohibits state and local law enforcement officials from investigating arrestees' immigration status or reporting that status to federal authorities. This is, of course, 180 degrees opposite from Prop 187, which demanded investigation and reporting.

The Justice Department has challenged SB 54 as well as two other state sanctuary laws in court. Unsurprisingly, the feds' legal theory is that California is once again pre-empting the federal authority to make immigration policy.

The two other laws may actually go too far. One makes it a crime for private business owners in the state to cooperate voluntarily with federal officials performing investigations in the workplace. That probably interferes too much with federal authority, not to mention the employers' liberty.

The second law creates a system whereby the state attorney general would investigate federal immigration officials' enforcement efforts. There's no strong reason a state couldn't investigate federal officials suspected of a crime; but this law looks like a state effort to impede federal law enforcement, which exceeds the state's authority.

But SB 54 is lawful. Under Supreme court precedent, the federal government can't "commandeer" state officials to do its bidding in law enforcement. That means the federal government can't make California law enforcement investigate or report immigration status. It also means California can decline to expend its resources to enforce federal law.

The legal difference between Prop 187 and SB 54 is the result of the structure in the Constitution as interpreted by the courts. Congress has the right to occupy any field of law within its authority. But it can't coerce or blackmail states to do its will.

In parallel, states can't pass laws in areas where Congress is in control — but they can refuse to help the federal government enforce laws Congress has passed.

This constitutional doctrine reflects an attempt (imperfect, to be sure) to balance states' rights against federal authority. The enduring political reality is that some states want to go their own way on issues of major national importance.

California's political views have changed, but California's sense of itself as a quasi-republic far from Washington and entitled to make its own rules hasn't changed.

Trump's visit, then, serves as a powerful reminder that no president can impose his will throughout the country. The president of the United States doesn't rule. He governs —

and even that power can only be exercised in conjunction with Congress.

Federalism is a delicate system that needs constant care, feeding and updating by the courts. But when it works, its successes follow from the recognition that a big country includes many different perspectives and beliefs.

The Chinese have a maxim for it: "The mountains are high, and the emperor is far away." Donald Trump isn't the emperor, despite his apparent frustration with that reality. The Rockies — and federalism — keep him from becoming one.

This column does not necessarily reflect the opinion of the editorial board or Bloomberg LP and its owners.

Americans Continue To Oppose U.S.-Mexico Border Wall – CBS News Poll

CBS News, March 12, 2018

As President Trump plans to visit California Tuesday to see prototypes for a U.S. – Mexico border wall, the idea of building a border wall continues to be unpopular with most Americans, and sharp partisan splits remain. Most Republicans support it, while most Democrats and independents oppose it. These percentages have held steady over time.

We find partisan divides over whether "sanctuary cities" can refuse to assist federal efforts in detaining or deporting illegal immigrants; President Donald Trump visits California amid legal battles between the Justice Department and the state. Half of Americans – and most Democrats – think cities should be allowed to deal with illegal immigrants as they see fit, while another half of Americans – and most Republicans – think such cities should be forced to comply with federal anti-immigration efforts.

On the broader principle of whether states or the Federal government should have power on immigration laws, partisans not only divide, but have switched places in recent years. Republicans today say the Federal government should have authority, not the states – a notion they rejected when President Barack Obama was in the White House and Arizona was drawing attention for passing its own measures; today most Democrats say the states should have power, having reversed their thinking from 2010.

This poll was conducted by telephone March 8-11, 2018 among a random sample of 1,223 adults nationwide. Data collection was conducted on behalf of CBS News by SSRS of Glen Mills, PA. Phone numbers were dialed from samples of both standard land-line and cell phones.

The poll employed a random digit dial methodology. For the landline sample, a respondent was randomly selected from all adults in the household. For the cell sample, interviews were conducted with the person who answered the phone.

Interviews were conducted in English and Spanish using live interviewers. The data have been weighted to reflect U.S. Census figures on demographic variables.

The error due to sampling for results based on the entire sample could be plus or minus three percentage points. The error for subgroups may be higher and is available by request. The margin of error includes the effects of standard weighting procedures which enlarge sampling error slightly.

This poll release conforms to the Standards of Disclosure of the National Council on Public Polls.

ICE Spokesman Resigns Over Falsehoods He Said Were Spread By Trump Administration After Raids

San Diego Union-Tribune, March 12, 2018

A spokesman for Immigration and Customs Enforcement in San Francisco resigned his post, disillusioned by what he called false claims spread by Trump administration officials after a four-day raid in Northern California last month, according to reports.

"I just couldn't bear the burden, continuing on as a representative of the agency and charged with upholding integrity, knowing that information was false," James Schwab told CNN.

The story was first reported by the San Francisco Chronicle.

The controversy stems from the warning sent by Oakland Mayor Libby Schaaf before the raid, in which she urged immigrants in the country illegally to take precautions.

In a news release during the sweep, ICE's acting director, Thomas Homan, said that "864 criminal aliens and public safety threats remain at large in the community, and I have to believe that some of them were able to elude us thanks to the mayor's irresponsible decision."

Homan later appeared on "Fox and Friends" and blasted Schaaf's alert, saying she helped an estimated 800 "criminal aliens" avoid capture.

Schwab told CNN he thought that number was inflated.

"It's a false statement because we never pick up 100% of our targets. And to say they're a type of dangerous criminal is also misleading," he said.

When he raised his concerns to ICE leadership, Schwab said he was instructed to "deflect to previous statements. Even though those previous statements did not clarify the wrong information."

U.S. Atty. Gen. Jeff Sessions repeated the claim at the 26th annual Law Enforcement Legislative Day last week, saying agents "failed to make 800 arrests that they would have made if the mayor had not acted as she did."

"Those are 800 wanted aliens that are now at large in that community — most are wanted criminals that ICE will now have to pursue with more difficulty in more dangerous

situations, all because of one mayor's irresponsible action," Sessions said.

Last month's sweep netted 232 arrests of people suspected of violating immigration laws. Of those, 115 had prior convictions for "serious or violent" crimes or "significant or multiple" misdemeanors.

Schwab called the mayor's alert misguided and not responsible.

"I think she could have had other options," he said. "But to blame her for 800 dangerous people out there is just false."

ICE Spokesman In SF Resigns And Slams Trump Administration Officials

By Dan Simon

CNN, March 12, 2018

James Schwab, a spokesman for the San Francisco Division of Immigration and Customs Enforcement, has resigned, citing what he says are falsehoods being spread by members of the Trump administration including Attorney General Jeff Sessions.

"I just couldn't bear the burden — continuing on as a representative of the agency and charged with upholding integrity, knowing that information was false," he told CNN on Monday.

Schwab cited Acting Director Tom Homan and Attorney General Jeff Sessions as being the purveyors of misleading and inaccurate information, following Oakland Mayor Libby Schaaf's controversial decision to warn the community of an upcoming ICE raid.

ICE released a press release on February 27 about the operations in Northern California in which Homan stated that "864 criminal aliens and public safety threats remain at large in the community, and I have to believe that some of them were able to elude us thanks to the mayor's irresponsible decision."

Sessions also repeated a similar estimate in his remarks while visiting Sacramento last week.

"Those are 800 wanted criminals that are now at large in that community — 800 wanted criminals that ICE will now have to pursue with more difficulty in more dangerous situations, all because of one mayor's irresponsible action," Sessions had said.

Schwab said he took issue with their characterization.

Jeff Sessions takes immigration fight to California, announces lawsuit

"Director Homan and the Attorney General said there were 800 people at large and free to roam because of the actions of the Oakland Mayor," he told CNN. "Personally I think her actions were misguided and not responsible. I think she could have had other options. But to blame her for 800 dangerous people out there is just false."

"It's a false statement because we never pick up 100% of our targets. And to say they're a type of dangerous criminal is also misleading."

Schwab said he brought up his concerns to ICE leadership and was told to "deflect to previous statements. Even though those previous statements did not clarify the wrong information."

"I've never been in this situation in 16 almost 17 years in government where someone asked me to deflect when we absolutely knew something was awry – when the data was not correct" he said.

Schwab also said he is a registered Democrat, but has been a loyal federal servant, regardless of which party is in power.

CNN has reached out to ICE in Washington and the Department of Justice for comment.

San Francisco's ICE Spokesman Quits, Disputes Agency's Claim That 800 Eluded Arrest

San Francisco Chronicle, March 13, 2018

The San Francisco spokesman for U.S. Immigration and Customs Enforcement resigned after the agency's recent Northern California sweep, saying he couldn't continue to do his job after Trump administration officials made false public statements about a key aspect of the operation.

James Schwab told The Chronicle on Monday that he was frustrated by repeated statements by officials, including U.S. Attorney General Jeff Sessions, that roughly 800 undocumented immigrants escaped arrest because of Oakland Mayor Libby Schaaf's Feb. 24 warning to the public about the four-day operation, issued the night before federal officers began staking out homes and knocking on doors.

Schwab wanted the agency to correct the number, which he understood to be far lower, and didn't want to deflect media questions about it, he said.

"I quit because I didn't want to perpetuate misleading facts," said Schwab, 38, who was hired in 2015 and resigned last week. "I asked them to change the information. I told them that the information was wrong, they asked me to deflect, and I didn't agree with that. Then I took some time and I quit."

Schwab said the statements about immigrants evading arrest, which were widely quoted in an array of media outlets, were misleading "because we were not ever going to be able to capture 100 percent of the target list" of roughly 1,000 undocumented immigrants in Northern California.

"I didn't feel like fabricating the truth to defend ourselves against (Schaaf's) actions was the way to go about it," he said. "We were never going to pick up that many people. To say that 100 percent are dangerous criminals on the street, or

that those people weren't picked up because of the misguided actions of the mayor, is just wrong."

ICE officials confirmed Schwab's resignation, saying Monday that he "recently announced his departure" from the office of public affairs, but they would not discuss specifics, citing the confidentiality of personnel matters.

Schaaf praised Schwab's action. "I commend Mr. Schwab for speaking the truth while under intense pressure to lie," she said. "Our democracy depends on public servants who act with integrity and hold transparency in the highest regard."

Asked about the disputed figures, an ICE spokeswoman in Washington, D.C., Jennifer Elzea, did not respond directly in an email. But she suggested that 800 immigrants had not evaded arrest because of Schaaf's warning.

She referred to a quote from the head of ICE, Thomas Homan, who on the third day of the operation said, "864 criminal aliens and public safety threats remain at large in the community, and I have to believe that some of them were able to elude us thanks to the mayor's irresponsible decision."

The ICE operation, called Keep Safe, began Feb. 25 and was intended to send a message to California leaders that they could not shield immigrants from federal law despite state and local sanctuary policies. ICE reported arresting 232 undocumented immigrants in regions from the Central Valley to the northern reaches of the state.

On the night of Feb. 24, Schaaf announced that the sweep was imminent, saying she had learned about the operation from confidential sources and felt compelled to alert the community. The Trump administration was furious, saying the warning harmed the operation and endangered ICE officers in the field.

But officials' statements about the consequences of the warning have shifted. After Homan said, "I have to believe that some of them were able to elude us," he went further, saying on Feb. 28, "There's 800 that we are unable to locate because of that warning, so that community is a lot less safe than it would have been."

Sessions, speaking in Sacramento on Wednesday, said he had learned from Homan that "ICE failed to make 800 arrests that they would have made if the mayor had not acted as she did. Those are 800 wanted aliens that are now at large in that community."

A day later, President Trump said ICE had been prepared to arrest "close to 1,000 people" before Schaaf's warning.

That same day, Homan said in an appearance on Fox News that "many criminal aliens were not apprehended because of that warning. I can't put a specific number on it."

Schwab said that as a public face of the government, he found himself in an untenable situation.

"It's the job of a public affairs officer to offer transparency for the agency you work for. I felt like we weren't doing that," he said. "I've never been in a situation when I've been asked to ignore the facts because it was more convenient. It was my first time being asked to do that."

ICE Spokesman In NorCal Says He Was Asked To Parrot 'Alternative Facts' About Libby Schaaf

KTVU-TV San Francisco, March 12, 2018

The communications director for the Northern California Immigration and Customs Enforcement agency quit, frustrated that he's been told to tell the public "alternative facts."

"I'm scared," James Schwab admitted to KTVU. "But I need to have my integrity."

Specifically, Schwab said that was told ICE's "Office of Public Affairs leadership" to parrot the Department of Homeland Security's account that an unspecified number of "criminals" got away, in part, because Oakland Mayor Libby Schaaf warned of the pending ICE "Keep Safe" operation. The operation began on Feb. 25 and ended up netting 232 undocumented immigrants over the next several days across the northern part of the state.

Emails and calls to ICE headquarters and the Attorney General's Office, both in Washington, D.C., were not immediately returned. But Lori Haley, the western region communications director for ICE on Monday, told KTVU that Schwab had resigned "abruptly."

On Feb. 27, Schwab sent a news release that stated in part, from Acting ICE Director Thomas D. Homan: "The Oakland mayor's decision to publicize her suspicions about ICE operations further increased that risk for my officers and alerted criminal aliens – making clear that this reckless decision was based on her political agenda with the very federal laws that ICE is sworn to uphold."

Homan continued: "Thanks to the dedicated and professional work of ICE deportation officers, we were able to remove many public safety threats from the streets of the Bay Area during the past few days. However, 864 criminal aliens and public safety threats remain at large in the community, and I have to believe that some of them were able to elude us thanks to the mayor's irresponsible decision. Unlike the politicians who attempt to undermine ICE's critical mission, our officers will continue to fulfill their sworn duty to protect public safety."

While Schwab said he may not agree with Schaaf on everything she did, he said the original ICE projections were to arrest far fewer than the 232 people agents took into custody. He added the agency never expected to arrest all the undocumented immigrants during the operation. And so, operation "Keep Safe" was more successful than the agency

had hoped, Schwab said. That despite the fact that President Donald Trump said that the agency would have netted "close to 1,000 people" had it not been for Schaaf.

When he told supervisors he was not comfortable perpetuating that narrative, Schwab said he was told by the Office of Public Affairs to repeat what was in the Feb. 27 news release and defer questions to the Department of Justice. He said he couldn't do that any more.

Schwab said he doesn't want to out any particular people in the agency but said he felt he had to make a statement by quitting to do the right thing in his mind.

He added when he took the job in August 2015 during the Obama administration, after having worked as a public affairs specialist for the U.S. Army Reserve in Mountain View and as a spokesman for the NASA Ames Research Center in Moffett Field for more than 15 years, he never could have imagined what he would be asked to do.

Schwab also made sure to point out that there are many individual ICE agents who are good, honest, hardworking people. They should not be blamed, Schwab said, as they are carrying out orders from the top.

And Schwab's resignation comes at a time when the federal government and the city of Oakland are in a heated war of words: The head of ICE and Attorney General Jeff Sessions have both accused Schaaf of acting like a gang lookout, warning the bad guys that police are coming to give them time to run away.

Schaaf has remained steadfast in her decision to alert the community about the raid. She reiterated that point last week with KTVU, saying that she deeply respects police, and "never gave any specific locations that could have endangered law enforcement." She added: "How can it be illegal to tell people what their rights are?"

Schwab took the job one month after Kate Steinle was killed in San Francisco by Jose Inez Garcia Zarate, an undocumented immigrant, and the ICE office was flooded with calls. He was the first person to ever head the communications strategy for the San Francisco office, which covers the Northern California and Northern Nevada region.

ICE Spokesman Resigns, Citing 'false' Statements By Top Federal Officials About Calif. Immigrant Arrests

By Meagan Flynn

Washington Post, March 13, 2018

The San Francisco spokesman for U.S. Immigration and Customs Enforcement has resigned over what he described as "false" and "misleading" statements made by top-ranking officials, including Attorney General Jeff Sessions and ICE Acting Director Thomas D. Homan.

The now-former spokesman, James Schwab, told news outlets late Monday that his resignation stemmed from

statements by Homan and Sessions that potentially hundreds of "criminal aliens" evaded ICE during a Northern California raid in February because Oakland Mayor Libby Schaaf warned the immigrant community in advance.

Schwab said he pushed back on that characterization — but said ICE instructed him to "deflect" questions from the press.

"I quit because I didn't want to perpetuate misleading facts," he told the San Francisco Chronicle, which broke the story. "I asked them to change the information. I told them that the information was wrong, they asked me to deflect, and I didn't agree with that. Then I took some time and I quit."

ICE officials and Sessions — and at one point President Trump — criticized Schaaf for tipping off immigrants about the raid, which netted 232 suspected undocumented immigrants.

Homan said in a statement that "864 criminal aliens and public safety threats remain at large in the community, and I have to believe that some of them were able to elude us thanks to the mayor's irresponsible decision. Unlike the politicians who attempt to undermine ICE's critical mission, our officers will continue to fulfill their sworn duty to protect public safety."

And just last week, in Sacramento, Sessions said, "Those are 800 wanted criminals that are now at large in that community — 800 wanted criminals that ICE will now have to pursue with more difficulty in more dangerous situations, all because of one mayor's irresponsible action."

Schwab, however, said that both the number of potential arrests and the blame heaped on Schaaf by officials was wrong.

As he told the Chronicle, "I didn't feel like fabricating the truth to defend ourselves against her actions was the way to go about it. We were never going to pick up that many people. To say that 100 percent are dangerous criminals on the street, or that those people weren't picked up because of the misguided actions of the mayor, is just wrong."

"I just couldn't bear the burden — continuing on as a representative of the agency and charged with upholding integrity, knowing that information was false," he told CNN.

ICE could not immediately be reached for comment by The Post regarding Schwab's assertions that it had released false and misleading information. The Chronicle quoted unnamed ICE officials confirming Schwab's resignation but declining to discuss specifics, citing confidentiality for personnel matters. A Justice Department spokesperson could not immediately be reached.

According to ICE, of the 232 people picked up in the raid, 115, or roughly half, had felonies or misdemeanors on their records.

When Schwab insisted on setting the record straight and correcting the idea that hundreds of dangerous criminals

got away, he said ICE officials told him to direct reporters to statements ICE or Homan had already made.

"It's the job of a public affairs officer to offer transparency for the agency you work for," he told the Chronicle. "I felt like we weren't doing that. I've never been in a situation when I've been asked to ignore the facts because it was more convenient."

San Francisco Jail Let ICE Interview Inmate In Breach Of Sanctuary Policy, State Law

San Francisco Chronicle, March 13, 2018

The San Francisco Sheriff's Department allowed federal immigration officers into one of its jails to interview an inmate, a violation of jail policy and California sanctuary law, department officials said Monday.

Department policy broadly restricts cooperation with U.S. Immigration and Customs Enforcement, forbidding most communication with the agency and barring access to inmates, some of whom the government would like to detain for potential deportation.

The goal of sanctuary policies, which conservatives and the Trump administration have called dangerous, is to convince undocumented immigrants that they can engage with local authorities without fear that their legal status will be an issue.

But Thursday, sheriff's officials said, a pair of ICE officers entered separate San Francisco jails, requested to speak with two inmates, and were given access to interview rooms. While one inmate declined to speak with ICE, another inmate participated in the interview.

The inmate who was interviewed had been informed by the Sheriff's Department that ICE was seeking to detain him upon his release from jail. But San Francisco's citywide sanctuary ordinance does not allow inmates to be turned over to ICE in most cases.

In an interview Monday, Sheriff Vicki Hennessy said the department's policy had been in place before her 2015 election. She said it appeared ICE was "testing our defenses and they found some weak points." The incident is under investigation, she said.

"My staff made a mistake and I have to hold myself accountable," she said. "I apologize on behalf of the department. I feel embarrassed by it. I've taken steps to make sure it never happens again."

It's not clear what was discussed in the interview, and the inmate was not identified. The incident came one week after a four-day ICE sweep in Northern California, which netted 232 arrests and was designed to counter sanctuary laws.

The interview appeared to be a violation of California's Truth Act, which was signed by Gov. Jerry Brown in 2016,

said Pratheepan Gulasekaram, a professor and immigration expert at Santa Clara University School of Law.

The law mandates that before any interview between ICE and a county jail inmate, a consent form be provided describing the reasoning for the interview, that the interview is voluntary and that an attorney can be present.

"Either what's happened here is a deliberate opposition to San Francisco's non-cooperation policy by sheriff's deputies, or ignorance of that policy," he said, "and ICE doing what it does, which is to attempt to take advantage of that ignorance."

The Sheriff's Department did not provide the inmate with a consent form, officials said, because its policy doesn't allow ICE officers to have access at all.

After learning of the interview, Hennessy reiterated the policy to leaders in the jail, and issued a department-wide bulletin on the matter, said Nancy Crowley, a department spokeswoman.

"Sheriff's Department watch commanders are communicating this directive at muster at each of three daily shifts for one week," Crowley said.

Jeff Adachi, the city's public defender, said the man who was interviewed was a client of his office. He said the officers asked the man questions about his background and nationality and tried to get him to sign a form.

The office is trying to figure out what the form was and determine whether the inmate signed it, Adachi said. He said the inmate does not read English or Spanish.

"How sheriff's deputies are not aware of our sanctuary policies is quite frankly beyond me," Adachi said.

He said he informed Hennessy of the visit last week and was assured that the problem would be addressed.

ICE sent 99 requests for San Francisco to hold or turn over undocumented inmates in 2016, and 469 requests in 2017, city records show. Already in 2018, the city has received 212 such requests. None has been honored.

The ICE officers returned to a San Francisco jail on Monday and requested another inmate interview, Crowley said, but they were denied access after being informed of the department's policy.

"That's a good sign," Hennessy said.

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US Agents Told About Mexican Immigrant After He Left Jail

Associated Press, March 12, 2018

DENVER (AP) — The Denver Sheriff's Department has said it is investigating why immigration authorities weren't notified of the release of a jail inmate until about an hour after he had already left.

Ivan Zamarripa-Castaneda of Mexico, 26, is charged with vehicular homicide in a hit-and-run crash that killed truck driver John Anderson, 57, on Interstate 70 on March 3. He was released from Denver's jail at 5:28 p.m. Saturday after posting \$25,000 bond but U.S. Immigration and Customs Enforcement was not notified until 6:33 p.m., the sheriff's department said.

"This is unacceptable and the Sheriff has ordered an immediate internal review to determine why established notification processes did not take place before Zamarripa-Castaneda was released," the department said Sunday in a statement.

In a statement, Immigration and Customs Enforcement Denver Field Office Director Jeffrey D. Lynch said the agency was notified Saturday that Zamarripa-Castaneda would be released at an unspecified time.

He said deportation officers arrived at the jail less than two hours later to take him into custody and discovered he had already been released. The agency now considers Zamarripa-Castaneda an "immigration fugitive."

Lynch said that the agency was working with the sheriff's department to determine what happened to try to prevent similar situations from happening again.

"As law enforcement professionals, we should all have the same ultimate goal in mind — to protect the public by combating criminals. ICE helps fulfill that role by removing criminal aliens from the streets, and from the United States," he said.

The incident happened a year after U.S. Attorney Jeff Sessions criticized Denver's jail for giving immigration officials 25 minutes' notice before releasing an auto theft suspect, Ever Valles, they had expressed an interest in. He was involved in a fatal robbery several months later and was sentenced Friday to 29 years in prison.

The immigration agency requests jails hold inmates that agents are interested in until they can arrive to detain them.

But Denver and other jurisdictions have said they cannot legally hold inmates after they post bond unless immigration agents obtain arrest warrants.

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Denver Sheriff Admits Mistake In Releasing ICE Fugitive Charged With I-70 Vehicular Homicide

By Kirk Mitchell

Denver Post, March 12, 2018

Ivan Zamarripa Castaneda

The Denver Sheriff Department has admitted that it botched the U.S. Immigration and Customs Enforcement

notification process when it released a Mexican man charged with vehicular homicide.

In a statement Monday, Sheriff Patrick Firman said he is investigating why deputies failed to notify ICE officials in advance that Ivan Zamarripa-Castaneda, 26, was being released from the Downtown Detention Center. Zamarripa left the jail after posting a \$25,000 bond on a vehicular homicide – DUI and leaving the scene of an accident charges.

Deputies did not notify ICE of Zamarripa-Castaneda's pending release until an hour after the suspect had left the jail. ICE had placed a civil detainer hold on Zamarripa-Castaneda because he is living illegally in the United States.

"This is unacceptable and the sheriff has ordered an immediate internal review to determine why established notification processes did not take place before Zamarripa-Castaneda was released," the sheriff's statement said.

The sheriff's department's notification process, as well as the city's overall immigration policies, have been criticized by some, including U.S. Attorney General Jeff Sessions, who has labeled Denver as a sanctuary city. And it is not the first time the jail's release of a person living in the country illegally has become a highly publicized controversy.

Zamarripa-Castaneda was involved in a fiery, fatal hit-and-run car crash on March 3 on I-70. On Monday, the Denver Coroner's office identified the victim as 57-year-old John Anderson, who was driving a tractor-trailer eastbound on I-70 near the I-25 interchange. The cause and manner of death were pending investigation.

Denver police officers arrested Zamarripa-Castaneda the next day after he ran from the freeway after causing the fatal collision. When police interviewed Zamarripa-Castaneda, his eyes were watery, his speech was slurred and his breath had a moderate odor of alcohol, according to an incident report.

Two days after his arrest, ICE officials placed a detainer on Zamarripa-Castaneda.

On Saturday, Denver jail officials notified ICE that he would be released at an unspecified time, Rusnok said. But two hours later when ICE officers arrived at the jail to pick up Zamarripa-Castaneda and transfer him to a federal detention facility, Denver jail officials already had released him, Rusnok said.

The sheriff's department said it released Zamarripa-Castaneda at 5:28 p.m. Saturday but did not notify ICE until 6:33 p.m. That is a violation of the department's policy to send ICE advance notification of an inmate's release — via fax — when ICE has requested it.

In a statement, Jeffery D. Lynch, director of the ICE office in Denver, said his office is coordinating with the sheriff's department to identify communication issues that occurred in the case.

"As law enforcement professionals, we should all have the same ultimate goal in mind — to protect the public by combating criminals," Lynch's statement said. "ICE helps fulfill that role by removing criminal aliens from the streets and from the United States."

Zamarripa-Castaneda is considered an immigration fugitive, Lynch said.

The sheriff's department's policy says it will send ICE notification of inmate's release as soon as a date and time are available. However, the sheriff's department will not hold someone on a civil immigration detainer beyond their scheduled release even though ICE asks jails to hold someone for up to 48 hours.

The sheriff's department will keep someone in custody as long as necessary when ICE has a criminal arrest warrant.

That policy has been in place for years, but it recently was written into law when Denver City Council approved an immigration ordinance.

This is not the first time tension has erupted between ICE and the Denver sheriff over an inmate's release.

Last year, the city was criticized after Ever Valles was charged with murder in the robbery and shooting death of a 32-year-old Tim Cruz at a light rail station. Valles had been arrested on Oct. 20, 2016 and released from the downtown jail on Dec. 20, 2016 without ICE notification.

Valles then was involved in the robbery and murder less than two months later in February 2017.

In October 2016, Norlan Estrada-Reyes killed 28-year-old Karina Pulec, a young Denver lawyer, in a hit-and-run traffic accident. Estrada-Reyes had been deported in 2007, but he returned to the U.S. illegally.

He was arrested in 2013 and 2014 in Denver, but released both times before ICE could pick him up.

Both cases became talking points during Denver's immigration policy discussions.

Valles and Estrada-Reyes are serving prison sentences for their Denver crimes. Typically, ICE will not deport a person in their custody until criminal proceedings and sentences are complete.

Denver Sheriff Orders Internal Investigation After Undocumented Immigrant Wanted By ICE Posts Bond

KDVR-TV Denver, March 12, 2018

DENVER – The Denver sheriff is calling for an internal investigation of the department after an undocumented immigrant wanted by U.S. Immigration and Customs Enforcement bonded out of jail.

Ivan Zamarripa-Castaneda, 26, has been charged with vehicular homicide after a fiery crash on March 3.

ICE requested a notification if Zamarripa-Castaneda was going to be released. Zamarripa-Castaneda bonded out at 5:28 p.m. Saturday, but ICE was notified until 6:33 p.m.

"This is unacceptable and the sheriff has ordered an immediate internal review to determine why established notification processes did not take place before Zamarripa-Castaneda was released," the sheriff's department said in a statement.

Zamarripa-Castaneda is from Mexico and was involved in a crash on Interstate 70 just before midnight on March 3.

The crash killed a 57-year-old semitruck driver and shut down the interstate for several hours.

The Denver Police Department said Zamarripa-Castaneda fled the scene of the crash and that he was driving drunk. He was arrested the next day at his home in Denver.

ICE officials placed a detainer hold on him last week.

Zamarripa-Castaneda posted the \$25,000 bond and the sheriff's department said it notified ICE of the pending release, but it did not give a time.

When ICE agents arrived at the detention center, Zamarripa-Castaneda was already gone.

ICE called Zamarripa-Castaneda an immigration fugitive and said, "As law enforcement professionals, we should all have the same ultimate goal in mind — to protect the public by combating criminals."

Zamarripa-Castaneda has been charged with one count of vehicular homicide-DUI and one count of leaving the scene of an accident resulting in death.

He appeared in court on Friday morning for a second advisement before making bail.

A preliminary hearing is scheduled for April 2.

Feds Prosecuting Illegal Immigrants For Enticing Relatives To U.S.

By Stephen Dinan

Washington Times, March 12, 2018

An illegal immigrant from Guatemala was sentenced to seven months in jail late last month for paying human smugglers to bring his 16-year-old brother-in-law into the U.S., in what officials say is one of the first cases to punish a relative for enticing a family member to make the dangerous trek north.

Miguel Pacheco-Lopez admitted he paid \$6,100 to "coyotes," as the smugglers are called, to bring his wife's brother into the U.S. last year. He expected the teen — identified in court documents by the initials S.M. — to pay the majority of the money back at 8 percent interest.

The prosecution was part of a groundbreaking strategy to try to slow the stream of unaccompanied alien children by going after the people they are trying to join in the U.S.

SEE ALSO: Sanctuary cities putting money in hands of cartels, Trump administration says

"This criminal jeopardized his own family members by paying human smugglers," said James C. Spero, special agent in charge at the Tampa office of homeland security investigations. "He endangered a child's life with a dangerous and unlawful journey into the United States, and now he will be held accountable."

Pursuing people who are paying to have their family members smuggled to the U.S. has always been among the trickiest parts of the immigration debate.

Immigrant rights activists say they are often trying to help relatives escape terrible conditions back home and should be viewed as part of a humanitarian mission.

But analysts who have pushed for stiffer policies toward illegal immigration cheered the conviction and sentencing.

"It's long overdue, and it's something that they have to do to deter people from paying smugglers," said Jessica Vaughan, policy studies director at the Center for Immigration Studies. "It's dangerous for the kids, not to mention that it enriches a criminal enterprise."

She said the courts have tied the administration's hands on many other areas of enforcement, such as the ability to detain and quickly deport illegal immigrant children, so some other deterrent was needed.

President Trump teased the policy in his initial immigration executive orders. As homeland security secretary, John F. Kelly elaborated on the plan in a Feb. 20, 2017, implementation memo. He said the parents were putting their children through unimaginable hardship on the journey north.

Beatings, killings and rape are reportedly common — so much so that some teen girls preparing to make the journey would take birth control to avoid becoming pregnant from rape along the way.

"Regardless of the desires for family reunification, or conditions in other countries, the smuggling or trafficking of alien children is intolerable," Mr. Kelly wrote in the memo.

He ordered his agencies to consider deporting or even criminally charging those who paid the children's way.

Bryan Johnson, an immigration lawyer who penned a letter to Mr. Kelly last year asking him to drop the policy, said he had heard of no other conviction like Pacheco-Lopez.

"DHS is using this one conviction in hopes that it deters future unaccompanied minors from entering USA. Same philosophy as under Obama but with more extreme tactics," Mr. Johnson told The Washington Times. "And, just as in Obama administration, this deterrence-at-all-costs policy may have temporary effects, but in long term it will do little to nothing to stop unaccompanied minors from coming so long as the conditions there — extreme violence and poverty — persist."

A spokeswoman for U.S. Immigration and Customs Enforcement declined to provide more details about the case, but Pacheco-Lopez turned out to be the thread that unraveled a much bigger illegal immigration operation.

Court documents show that when agents went to first talk to Pacheco-Lopez, the address they were given in Jacksonville turned out to have at least a half-dozen other illegal immigrants living there and working at a Japanese steakhouse along with Pacheco-Lopez.

The owners of Fujiyama Steakhouse and Sushi Lounge, a husband and wife from China, were paying illegal immigrants low wages but letting them live in the crowded house. They were convicted and sentenced to probation.

The case illustrated some of the other difficulties presented by the surge of illegal immigrants.

Pacheco-Lopez's native language is K'iche', which is Mayan. Authorities had to find qualified K'iche' interpreters. Those interpreters didn't speak English well, so they translated Pacheco-Lopez's words into Spanish. ICE officers who were fluent in English and Spanish did the final translation into English.

Agents and prosecutors said they weren't surprised that just one person has been convicted of paying for smuggling.

One immigration agent said federal officers have a tough time getting prosecutors to take the cases. The agent said it can be difficult to prove the trail of cash and that prosecutors may be reluctant to take on cases in which the illegal immigrants may seem sympathetic.

The agent said the Florida case might have been easier to make because Pacheco-Lopez was charging his brother interest, suggesting a business transaction more than a family unification effort.

Parents' and other family members' involvement in smuggling has been a sore spot for authorities for years.

In one groundbreaking 2013 opinion, U.S. District Judge Andrew S. Hanen blasted the Obama administration for complicity in human smuggling. He said that by delivering illegal immigrant children to their parents — usually also in the U.S. illegally — the government was effectively "completing the criminal mission" of the smugglers.

He was reviewing a case in which an illegal immigrant mother living in Virginia paid for her daughter to be smuggled into the country. The woman attempting the smuggling was caught after using one of her daughters' birth certificates for the illegal immigrant girl.

But Homeland Security delivered the girl to her mother anyway. Judge Hanen said he was stunned that Homeland Security didn't arrest or even try to deport the mother.

"The DHS, instead of enforcing our border security laws, actually assisted the criminal conspiracy in achieving its illegal goals," he wrote.

Judge Hanen went on to become the first to invalidate the 2014 Deferred Action for the Parents of Americans policy

that Mr. Obama tried to create. DAPA would have expanded the 2012 DACA deportation amnesty to include parents of U.S. citizens, which would have covered millions of illegal immigrants.

'She Is Setting Aside Her Oath Of Office'

Washington Examiner, March 13, 2018

Vice President Mike Pence called the mayor of Oakland, Calif., "disgraceful" Monday following her recent warnings to illegal immigrants that federal immigration raids would be taking place in the San Francisco Bay Area.

"Look, the mayor's actions are disgraceful on a couple of levels. She is setting aside her oath of office to uphold the law of the land and the rule of law," Pence told Sean Hannity during his Fox News show Monday evening.

"Secondly, I spoke to the attorney general about this ... the majority of the individuals targeted by I.C.E. had a criminal record. So for the mayor of Oakland to warn them in advance of the actions by I.C.E. personnel put the law enforcement officers at risk," the vice president added.

Attorney General Jeff Sessions last week also criticized Mayor Libby Schaaf for "endangering" the lives of law enforcement officers.

"Her actions support those who flout our laws and boldly validate the illegality," Sessions said, adding, "How dare you. How dare you needlessly endanger the lives of law enforcement just to promote your radical open-borders agenda."

Schaaf, Oakland's Democratic mayor since 2015, has been under fire since she sent out a warning in February that federal immigration raids were imminent in Northern California.

Pence: Oakland Mayor Warning About Immigration Raids Is 'Unacceptable'

By Julia Manchester

The Hill, March 12, 2018

Vice President Pence slammed Oakland Mayor Libby Schaaf (D) on Monday, saying her actions warning residents of upcoming Immigration and Customs Enforcement (ICE) raids were "utterly unacceptable."

"The mayor's actions are disgraceful on a couple levels. Number one, she's setting aside her oath of office to uphold the laws of the land, the rule of law," Pence told Sean Hannity on Fox News.

"I spoke to the attorney general about this. The majority of individuals who are being targeted by immigration and customs enforcement had a criminal record. So for the mayor of Oakland to warn them in advance of actions by ICE personnel actually put those law enforcement officers at risk; that's just utterly unacceptable," he said.

President Trump criticized Schaaf at a Cabinet meeting last week, calling her a "disgrace."

"What the mayor of Oakland did the other day was a disgrace. Where they had close to a thousand people, ready to be gotten, ready to be taken off the streets. ... The mayor of Oakland went out, and she went out and warned them all: scatter," Trump said.

"So instead of taking in a thousand, they took in a fraction of that, about 150," he continued. "It's certainly something we're looking at with respect to her, individually."

Schaaf warned residents of upcoming raids in the Bay Area last month.

The mayor also drew the ire of Attorney General Jeff Sessions last week, who called her out in remarks announcing a lawsuit against California for its "sanctuary city" laws.

"How dare you needlessly endanger the lives of our law enforcement officers to promote a radical open borders agenda," Sessions said.

Schaaf fired back in a speech last week.

"How dare you vilify members of our community by trying to frighten the American public into thinking all undocumented residents are dangerous criminals," she said.

San Diego Area ICE Arrests Of Noncriminal Immigrants Led Nation From October To December

By Kate Morrissey

Los Angeles Times, March 12, 2018

More people with no criminal history were arrested by San Diego's Immigration and Customs Enforcement in the first quarter of fiscal 2018 than anywhere else in the country.

The San Diego field office for ICE, which covers San Diego and Imperial counties, was the only field office in the country where the majority of arrests — at about 72% — were of "noncriminals," according to data from the agency.

Between October and December, ICE officers here arrested 1,622 people without criminal records, and 637 people with criminal records.

The Atlanta field office, which covers three states — Georgia, South Carolina and North Carolina — had the second highest number of noncriminal arrests at 1,592. That was about 41% of the arrests for that field office, where 2,343 people with criminal records were arrested by ICE.

"ICE arrests of noncriminals in the San Diego/Imperial counties reflect trends involving illegal immigration activity at the local borders, apprehensions made during routine fugitive operations and individuals encountered at the local jails," said Lauren Mack, a spokeswoman for ICE.

For other field offices along the border, the highest percentage of noncriminal arrests was 43% in Phoenix, where ICE took 733 people with no criminal histories into custody.

Some attorneys speculated that ICE was pushing to make more arrests before SB 54, a California bill limiting local police cooperation with federal immigration officials, took effect in January.

Other field offices in California did not reflect San Diego's trend. In Los Angeles, ICE officers arrested 357 noncriminals, which was about 16% of the field office's arrests. In San Francisco, officers arrested 373, which was about 22% of the field office's arrests.

Within days of taking office, President Trump expanded the agency's enforcement priorities from those with serious criminal convictions to a broader list of people including those who had any criminal conviction, who had been charged but not convicted, who had done anything that could be charged as a crime, or who had already been ordered deported.

According to a recent Pew Research Center analysis, noncriminal arrests increased 49% in San Diego in fiscal 2017. The Atlanta and Philadelphia field offices tied for the largest increase at 323%.

As stories about families whose loved ones were targeted have been repeatedly spotlighted by media across the country and data from Trump's first year in office showed an uptick in noncriminal arrests, ICE has insisted that it focuses on criminals but that anyone without authorization to be in the U.S. could end up arrested.

"While ICE continues to prioritize its enforcement resources to focus on individuals who pose a threat to national security, public safety and border security, the agency's acting director has made it clear that ICE will not exempt classes or categories of removable aliens from potential enforcement," Mack told the San Diego Union-Tribune on multiple occasions. "All of those in violation of our nation's immigration laws may be subject to arrest, detention and, if found removable, he or she will be removed from the United States."

Ginger Jacobs, an immigration attorney in San Diego, said that in her time practicing, she's noticed that the San Diego field office always works hard to follow orders from headquarters.

"My perception as an attorney is that our local ICE office is very responsive to policy being set in Washington, D.C.," Jacobs said.

Jacobs who's been practicing since George W. Bush's administration, said that during that time and into the first part of the Obama administration, the main reasons that people would end up being arrested by immigration officials were checkpoints and interactions with local law enforcement.

Collateral arrests happened, she said, but not frequently.

Beginning in 2011, she said, incremental changes in policy under former President Obama brought about more targeted enforcement.

Those changes have reversed under Trump, she said, and arrests happen in circumstances that would've been rare even under Bush.

"It turned into a zero tolerance policy," Jacobs said. "It's like Bush on steroids."

She has clients who have no criminal history and no prior deportation orders who have been targeted at their homes, she said.

"Going to somebody's house just because they have immigration violations, I've never seen that before," Jacobs said.

Edward Orendain, an immigration attorney in Chula Vista, said he's not surprised by the numbers from ICE's San Diego field office. He noticed that beginning in September or October, any type of contact with law enforcement could land an unauthorized immigrant in ICE detention even if there were no criminal charges.

One of his clients called the police because his wife had hit him. The wife told the responding officers that her husband had not hit her, that she'd slapped him. The officers arrested the man but did not charge him with anything. He ended up in ICE custody.

"We've been seeing a lot of that," Orendain said, noting that after January it had happened less frequently because of SB 54.

Orendain has also seen an uptick in people who were arrested when ICE was looking for someone else in their home or apartment complex, known as "collateral arrests."

Tammy Lin, who chairs the San Diego chapter of the American Immigration Lawyers Assn., said cases have come in because people got pulled over for taillight issues or other minor traffic infractions.

"They're picking the easy targets," Lin said.

None of the attorneys' clients was willing to be interviewed for this story because of fear that it might negatively affect their immigration cases.

Morrissey writes for the San Diego Union-Tribune

Probation Terminated After Former Aurora Priest Removed To Colombia

By Hannah Leone

[Aurora \(IL\) Beacon-News](#), March 12, 2018

A former Aurora priest who avoided a jury trial on child sex abuse charges through a misdemeanor plea deal is back in Colombia, and his probation in Kane County has been terminated.

Alfredo Pedraza Arias, 51, lost his temporary religious worker visa after he was charged with sexually abusing two girls at Sacred Heart Church in Aurora and at one of the girls' homes between 2012 and 2014. In June 2017, a federal immigration judge ordered Arias removed from the United States, a decision the priest waived his right to appeal.

Immigration and Customs Enforcement deportation officers arrested Arias Feb. 10 at the Kane County jail in St. Charles after he completed his criminal sentence, ICE spokeswoman Nicole Alberico said in an email. On Feb. 26, ICE deportation officers executed the removal order and removed Arias to Colombia, Alberico said.

On Friday, an order closed the Kane County criminal case, terminating his probation.

As trial was approaching, Arias, who had previously pleaded not guilty to a five-count felony indictment, pleaded guilty to battery, a class A misdemeanor. He agreed to a sentence of 205 days in county jail with credit for time served, and was released as scheduled Feb. 10.

The deal explicitly did not require Arias to register as a sex offender, though it did put him on sex offender probation for 24 months and stipulated he'd have to comply with a sex offender evaluation and treatment, if so ordered. He was also to pay \$410 in costs and have no contact with either victim or their immediate family members.

Kane County Circuit Judge Linda Abrahamson accepted the plea.

Kane County State's Attorney Joe McMahon previously referenced the pending deportation when addressing the plea agreement.

Arias' attorney, David Camic, has said the plea is supported by the facts, maintaining that Arias didn't commit a criminal sex offense.

When the judge raised Arias bail in an attempt to keep him in custody and away from ICE, Camic said parishioners came up with thousands of dollars to free him again.

Sacred Heart Rev. Msgr. Arquimedes Vallejo said his knowledge of the case came from television and the papers, and that he trusted in the courts and the justice system.

Vallejo said he couldn't say much, but he knew a lot of people at the church said they missed Arias. He said he had not talked to the families of the priest's accusers.

"Everyone has the right to ... express their feelings," Vallejo said.

Vallejo said he was not aware of any effort to bring Arias back to the U.S.

Military Times' Sailor Of The Year's Wife Reveals She Fears Deportation

By Tara Copp

[Military Times](#), March 11, 2018

Last July, inside a crowded cocktail tent, Navy Petty Officer First Class Justin Sullivan stood under a stage light in his dress whites. Politicians and defense leaders pushed through the crowd to shake his hand.

By his side was his wife, Loretto Dalmazzo Sullivan. She smiled despite the heat, their baby strapped to her chest.

Justin Sullivan, the Navy Times' 2017 Sailor of the Year, was being honored for his service as a radio operator during two combat tours in Afghanistan and hundreds of hours of volunteer work at home.

Loretto kept one eye on their toddler daughter while their infant son pulled on her long dark hair. She wanted to take the opportunity to say something about those Afghanistan deployments, but she didn't. This was Justin's moment.

Now, however, "we are at a point where people need to hear," Loretto, 32, told Military Times Thursday.

While Justin, 28, was deployed in 2012 and 2013, Loretto lived under intense stress, fearing their family would be split apart by immigration authorities. She is undocumented.

"It's this constant fear that someone is going to show up at your door and take you away," she said in a phone interview from Florida, where the family is currently based.

The family started her immigration paperwork after Justin and Loretto married, but Loretto was denied because she had previously claimed to be a U.S. citizen on a restaurant job application.

Instead, as Justin was set to deploy again, U.S. immigration officials sent Loretto a letter urging her to voluntarily depart the country.

While he was away, Justin would worry and press Loretto. Don't speed. Make sure the blinker lights and headlights are working on the car.

"One blinker light out on her car could be her ticket out," he said.

"Deploying in Afghanistan has its own stressors," he said. "Every morning going to work, it's just another thing that's on my mind. 'Is today the day they are coming?'"

In 2014, Loretto qualified for Deferred Action for Childhood Arrivals, or DACA, protection, which grants her legal status here as long as the program, which is under threat of being cancelled, is continued.

She is one of a dozen military spouses, active-duty service members, veterans or their attorneys who have spoken to Military Times since the news organization reported the story of the looming deportation of the wife of a 7th Special Forces Group veteran, Army Sgt. 1st Class Bob Crawford.

The story, and DHS's decision to drop deportation proceedings after the story published, touched a nerve. Now, more military families are looking for answers.

"We are kind of hopeless," said another active-duty sailor, a California-based 35-year-old chief petty officer who has served on the cruiser Lake Champlain, destroyer Chafee and now-decommissioned attack submarine Albuquerque.

He asked not to be identified and said he is contemplating moving his family to Mexico because his wife faces deportation. Like the others who spoke to Military

Times, his wife's vulnerability "is always on your mind when you get deployed."

Multiple families affected

Defense Secretary Jim Mattis has already said that some active-duty and National Guard members, reservists and honorably discharged veterans are "protected" from deportation as the administration of President Donald Trump has taken a harder line on immigration.

The families want to know: What about the spouses and kids?

"Who knows how many of us are out there, both inside and outside the U.S.," said a retired Air Force C-141 pilot who served as an instructor pilot in Iraq in 2009 and 2010.

He and his wife and their two toddler-age daughters now live full-time in the Middle East because his wife, who is Mexican and entered the country illegally, was instructed by DHS to voluntarily leave.

"I continue to this day as a DoD contract pilot, training international pilots in the Middle East," the 20-year Air Force veteran said via email. "Our hopes, like many other veterans who are outside the U.S. for the same reason, is that we can come home and bring our family home one day."

Right now, though, it doesn't look good, he said.

"We're considering Canada, where she was recently granted a visa when I finish my tour here in the Middle East," he said. "We're just tired of all the denials and going through the process and spending money on a lost cause, it seems."

Each case is different and complex; the affected spouses crossed illegally into the U.S. for various reasons, often to escape violence or hardship. They face deportation for different reasons, too. Some missed a hearing, some falsely said they were U.S. citizens to cross into the U.S. or to obtain work.

At some point, they met their significant others and became the backbone of the military families so often lauded by the service chiefs, Chairman of the Joint Chiefs Gen. Joe Dunford, Mattis, and even President Trump.

"I want every military family in this country to know that our administration is at your service. We stand with you 100 percent. We will protect those who protect us. And we will never, ever let you down," Trump said in February 2017 to troops at MacDill Air Force Base in Tampa, Florida.

Vice President Mike Pence, while still in Congress as a representative from Indiana, issued his own support for undocumented military spouses in 2010.

He co-authored a letter with colleagues urging DHS to use all means at its disposal to help the families obtain legal status, including a program called Parole in Place, or PIP, which would allow spouses who crossed illegally to stay.

'They are not criminals'

But the PIP has been effectively frozen, the military families and their attorneys said, since Trump's January 2017 executive order directing immigration authorities "to employ

all lawful means to enforce the immigration laws of the United States."

Even though the order specified going after immigrants who have committed crimes since coming to the country, it's had a blanket impact on the military community's undocumented dependents, too.

"The concerns I have for [my clients] are the concerns I have for so many," said attorney David Funke, who is representing former Army Spc. Charles Shreve, 40, who joined the military in 2009 and deployed to Afghanistan with the 307th Expeditionary Signal Battalion in 2010. Shreve's wife, 37-year-old Claudia, left the U.S. in 2017 after being given the option to depart voluntarily, or be deported.

"They support themselves, they have family, they are not criminals, but all that goes out the window" under the tighter enforcement, Funke said. Besides the Shreves, he currently has two other military families he is representing in deportation cases.

There are at least three bills under consideration in Congress that could help military spouses, dependents and even veterans themselves who have been deported or face a future deportation.

The first is H.R. 1036, the "American Families United Act," sponsored by Rep. Beto O'Rourke, D-Texas, which would enable immigration enforcement on a case-by-case basis to allow military spouses, dependents and other categories of immigrants to remain in the U.S.

The second is "Adoptee Citizenship Act of 2018," sponsored by Sen. Roy Blunt, R-Mo., and Sen. Mazie Hirono, D-Hawaii, which would ease some of the immigration restrictions for international adoptees.

The third is H.R. 3429, "Repatriate Our Patriots Act," sponsored by Rep. Vicente Gonzalez, D-Texas, Rep. Don Young, R-Alaska, and O'Rourke. That bill would allow certain honorably discharged veterans who have been deported to come home.

Neither House bill has been granted a committee hearing in Congress, and the Senate bill was just reintroduced this week after it did not gain traction last session. Instead, individual congressional offices are lobbying for individual families in jeopardy to see if there's a chance for relief.

After Military Times wrote about the case of Alejandra Juarez, the wife of a Marine veteran in Florida who is set to be deported in April, the office of Rep. Darren Soto, D-Fla., reached out to DHS on her behalf. That case is still pending.

"These are loved ones of our service members, and they deserve some kind of special attention," Gonzalez said. "Anything that has to do with a veteran should be looked at with special eyes."

There's not a good count of how many military families are affected by the tougher immigration enforcement.

Gonzalez, however, said he's heard from deported veterans in 38 different countries.

"I know we are not the only ones who have been through this, and there will continue to be more," Shreve said. "I just pray our leadership will find a better way for all of us and our families."

In the days since the story broke about former Army Sgt. 1st Class Bob Crawford, readers have questioned why service members would choose to marry someone who was undocumented. Several of the service members and veterans had the same response.

"You can't help who you fall in love with," Justin Sullivan said.

Loretto "was the whole reason I got Navy Times' Sailor of the Year. She's the one who nominated me. She took all my evals and wrote it up for me. She's always been my rock."

"She's the person I come home to. Without that, I'd be lost."

Shreve's wife, Claudia, 37, was given an option; leave voluntarily or be deported.

"We ended up doing voluntary departure," Shreve said. "She had a deport order on her."

In March 2017, the couple was sent a letter to show up at the Louisville, Kentucky, immigration office to which they had reported regularly. But this time, the family got a "heads up," he said. "We weren't going to get another year in probation."

Claudia is now in Mexico; Charles Shreve drove most of the family's belongings there in January. Charles is staying in the U.S. through June with their two older kids so they can finish the school year. Then everyone will relocate to Chiapas, Mexico, their new home.

"We see this two ways," Shreve said. "One, it's unfortunate our family has to go through this. The situation did not end the way we wanted it to. But we look at it as a positive adventure for our children. They get to be multicultural."

Fighting to stay together

Deportation doesn't just affect military spouses. It involves their children, too.

"My greatest mistake in life is I didn't know that [U.S. Immigration and Customs Enforcement] had their own age policy," said retired Army Lt. Col. Patrick Schreiber.

It was 2013. The Schreibers had taken in their niece as their own child. Patrick Schreiber was about to deploy to Afghanistan for a year as director of military intelligence for the 4th Infantry Division at RC-South.

So they decided to wait on formal adoption until he got home.

When he returned, the courts approved the adoption. The state of Kansas issued a birth certificate naming Schieber and his wife, Soo Jin, as the legal parents of Hyebin, who had just turned 17.

The military issued her an ID card and put her in DEERS. But the Department of Homeland Security issued Hyebin a rejection.

"They said there was no path to citizenship," Schreiber said.

In immigration policy, age 16 is the cutoff. It didn't matter that he was military; it continues not to matter that Hyebin, now 20, is a junior excelling in chemical engineering at the University of Kansas.

Schreiber met Soo Jin in South Korea while he was serving as a tank company executive officer and other positions with 1st Battalion, 72nd Armor Regiment in the late 1990s.

Soo Jin was her niece's confidant and main support. As Hyebin's home situation worsened, she asked to come live with them and study in the U.S. Then they legally adopted her. Hyebin's forced departure "would tear the family apart," Schreiber said.

Schreiber retired from the military in 2015 and continues to work for DoD as a contractor.

For now, Hyebin is in the U.S. on a student visa. Once she graduates, she will have to leave, Schreiber said.

"I spent 27 years in the Army, always putting the Army ahead" of family, he said.

He jumped with the 82nd Airborne Division into Panama during Operation Just Cause, served in Desert Shield and Desert Storm, deployed to Iraq from 2005 to 2006 and then again from 2007 to 2008, then was sent to Afghanistan from 2010 to 2011 and again from 2013 to 2014.

If Hyebin is sent back to South Korea, it's likely Schreiber and his wife will leave the U.S. to be with their daughter.

Former Army Spc. Brian Holovach, 53, first served from 1982 to 1986 with the 3rd Armored Division in Germany. After the attacks of Sept. 11, 2001, he decided to serve again, re-enlisting in 2002 with the Army National Guard's 42nd Infantry Division.

In 2004, the 42nd was activated. Holovach, a network systems operator, spent 11 months deployed and served in a signal unit in Tikrit, Iraq.

"But mostly I was a commander's driver," Holovach said.

Their base got mortared almost every day, Holovach said. Once he got home, he had a hard time coping.

"Brian, you've changed," said wife, Esmeralda, 56, who he'd married in 2003.

Esmeralda was a petite beauty from Guatemala who'd stepped out of a big, red pickup truck at a Burger King.

"It was love at first sight," Holovach said.

When he got back, he said, he "was drinking a lot, she didn't like it. I was on a downward spiral. She lifted me up. I love her. There's nothing I wouldn't do for her."

They have tried to get her legal status adjusted for 15 years. Holovach said immigration officials recently informed his lawyer that the paperwork they previously filed cannot be located, and their next hearing is this October. If for some reason the judge is unavailable that day, their case "gets pushed another year," Holovach said. "That's the way the immigration court system works."

In the meantime, his wife's legal residency is still in jeopardy.

"I love my country. I love my family," Holovach said. "But this is one thing I've promised her. Nothing is going to happen to her. If she ever was, God forbid, brought into ICE, I would camp out at their doorstep with a sleeping bag and a tent. She would not do it alone."

U.S. Rep. Brady Vows To Submit Bill For Citizenship For Immigrant Family In N. Philly Church Sanctuary

By Alfred Lubrano

Philly (PA), March 12, 2018

Using rhetoric that rattled the stained-glass windows, supporters of the undocumented Mexican family living in sanctuary inside a North Philadelphia church loudly declared their commitment to the mother and her four children Monday, while decrying immigration officials, President Trump, and those who, they claim, have forgotten why the Statue of Liberty stands in New York Harbor.

All the while, Carmela Apolonio Hernandez, 36, under order with her children to be deported since December, stood smiling beneath black safety netting keeping the soaring stone ceiling of the crumbling 131-year-old Church of the Advocate from literally falling down on her.

"I want to thank this person whose name I can't pronounce," Hernandez said through a translator, referring to Democratic U.S. Rep. Bob Brady of Philadelphia, who had locked the diminutive woman in an embrace with his left arm, as though his sheer size and up-from-the-street Philly attitude would protect Hernandez from being dispatched to her home country, where her brother and two nephews were murdered.

"This lady is not fighting by herself," declared Brady, who said he will introduce a so-called private bill in Congress to bestow U.S. citizenship on Hernandez and her children — Edwin, 9; Yoselin, 11; Keyri, 13; and Fidel, 15. The children were at their schools during the event.

Brady acknowledged it would be "tough to pass" such a measure, but even proposing it "should get the attention of ICE," the federal office of Immigration and Customs Enforcement.

In a statement Monday afternoon, ICE officials described Hernandez as "an unlawfully present citizen of Mexico." They added that, "in an exercise of discretion, ICE has allowed Ms. Hernandez to remain free from custody while

finalizing her departure plans." Officials also said that "aliens who illegally enter the United States ... have violated our nation's laws and can pose a threat to national security and public safety."

While ICE guidelines deter agents from grabbing up people earmarked for deportation from "sensitive locations" such as churches, Brady addressed the gathered media, asking, "Wouldn't you want to be here if ICE came? [The family] would be taken out of here disgracefully. Can you imagine that visual?"

Also on hand, Randi Weingarten, president of the American Federation of Teachers, reminded Trump that he is descended from an immigrant family. "Immigrants came to the United States to escape oppression and find freedom," she said, adding, "The plea to ICE is to find your humanity."

City Council President Darrell L. Clarke mused aloud, "I don't know about the president, but the Statue of Liberty means something to me."

Representatives from the Philadelphia Federation of Teachers, as well as the New Sanctuary Movement of Philadelphia, helped co-sponsor the event.

Hernandez expressed hope that she will some day be able to leave the sanctuary "and be free." With a nod toward the roughly three-dozen others living in sanctuary around the country, Hernandez added, "I'm not the only immigrant going through this. We should keep fighting."

The family came to the United States in August 2015, fleeing the violence of organized drug criminals who killed Hernandez's relatives, taxi drivers unable to pay extortion fees. Threatened and assaulted by the same men, Hernandez came north to San Diego, seeking asylum. After being detained and denied asylum, the five were sent to be in the care of a relative who's an American citizen in Pennsylvania. Hernandez eventually found her way to the church.

Because she said her children need to engage with others their age, Hernandez sent them to school. "My children have a right to go to school," she said in a previous interview.

Offering a window of what life is like in perpetual self-quarantine within the Episcopal church, Hernandez said she helps with the church's feeding program when she can.

Often, though, there's nothing for her to do while her children are in school. That's when, she said, the worries stir inside her head.

It's all she can do to squelch panic.

"They haven't come to take me and my children," she said. "Not yet."

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Kalamazoo Church Provides Sanctuary To Woman Facing Deportation

MLive (MI), March 12, 2018

KALAMAZOO, MI – Saheeda Perveen Nadeem held back tears Monday as she stood before members of Kalamazoo's First Congregational Church and thanked them for supporting her.

The church on West Michigan Avenue announced March 12, the same day 62-year-old Nadeem was supposed to be deported to Pakistan, that it will shelter her while she takes sanctuary from deportation by Immigration and Customs Enforcement, or ICE.

Rev. Nathan Dannison, a senior pastor at the church, said the congregation decided it will not allow ICE to tear apart families.

"We do these things today not for political reasons, but because we are disciples of Jesus Christ," Dannison said. "We follow a higher law. We know what He expects of us and He has high expectations."

ICE did not immediately respond to a request for comment Monday.

Nadeem's 20-year-old son Samad, a Deferred Action for Childhood Arrivals (DACA) recipient, shared with the congregation the story of how his mother came to the United States 13 years ago in hopes of finding a better life for her children.

"For most of my cognizant life, Saheeda has worked harder than any individual should have to, to ensure a better life for me and my sister," Samad said.

With the help of DACA and The Kalamazoo Promise scholarship, Samad and his sister Lareb were able to attend college at Western Michigan University.

"Words cannot describe the joy I saw on my mother's face as she watched my sister Lareb walk down the stage at the graduation ceremony," Samad said.

In a sad turn of events, Lareb died the same summer she graduated, and she is buried in Kalamazoo. One of the only things that gives Saheeda joy is visiting Lareb's grave every morning, Samad said.

Despite the sadness in her life, Samad said his mother dedicates most of her time to giving as much as she can. She is a volunteer in the Muslim community and caregiver for orphans and refugees.

"The amount of affection these individuals have for my mother is comparable only to that of family," Samad said.

He said his mother has not lived in Pakistan in about 40 years, and Kalamazoo is her true home. She would have no one to care for her in Pakistan.

"This community has done amazing things for my family and I, and I would like to ask for your support one more time," Samad said.

Beth Luppe and her daughter Emily, who are members of the church, had not met Saheeda until recently, but came to support her.

"Last night I went to bed thinking, 'I don't understand how I'm living in a country right now where someone has to hide,'" Luppe said.

She said other people should try to imagine how they would feel if someone came to their door and told them they had to leave.

"I think if people could put themselves in someone else's shoes for a couple of minutes ...(there) aren't any words to describe it," Luppe said.

The church has an apartment Saheeda will be staying in and a GoFundMe page has been created to raise money to support her.

Dannison said the church does not expect ICE to come to the church, but if it does and attempts to get in it will be filmed and put on the internet.

"Immigration and Customs Enforcement, lately, have been more aggressive, targeting the most vulnerable members of our community," Dannison said. "I think that's why churches are stepping forward and saying that this is unethical, and this is absolutely not who we are as Americans."

He said there are steps people can take, including being a informed citizens and reaching out to legislators.

"Use your voice as a voice for folks who are marginalized in our community and who are under threat," Dannison said.

Saheeda said the support she has received has made her feel that she's not alone.

"I'm worried, but I feel safe here," she said.

ICE arrest of Michigan doctor evidence of 'broken immigration system'

Volunteers Provide Immigrants With Legal Assistance

Associated Press, March 12, 2018

NORTHAMPTON, Mass. (AP) — Sitting in a prison cell in Boston, things at times looked pretty bleak for Niberd Abdalla. For more than seven months beginning last June, the Iraqi immigrant faced deportation to a country where he fears death.

"I will be targeted," Abdalla, of Northampton, told the Daily Hampshire Gazette in August — a fear compounded in no small part by his Kurdish ethnicity. "They will bury me alive."

However, although Abdalla was not initially eligible for bond, a team led by Northampton lawyer Buz Eisenberg volunteered endless hours fighting for Abdalla's freedom. And, on Jan. 25, an immigration judge in Boston ordered Abdalla released, much to the delight of his wife, Ellen McShane, and a community of supporters.

Eisenberg and others, meanwhile, continue working to reopen Abdalla's case, to have his removal order canceled and to get him legal status.

"It took an attorney taking the extra step," Megan Kludt, a local immigration attorney who has also worked on Abdalla's case, said of Eisenberg. And Kludt and Eisenberg are far from the only ones volunteering on the local level to fill a gap in legal immigration resources.

Abdalla and many other local immigrants have gained access to much-needed legal resources through the Immigrant Protection Project, a coordinated regional initiative on the part of the American Civil Liberties Union of Western Massachusetts, local lawyers, volunteers and community organizations. After around a year of operation, the project has expanded its work providing legal assistance referrals and advice for immigrants and their advocates in the Pioneer Valley and beyond.

The project is full of lawyers volunteering their time, including many local faces who have similarly worked on long-term or complex cases, and other Valley lawyers who are on the project's coordinating committee.

However, the organization's foundation — its first point of contact for local residents in need — is its call center, run by some 25 bilingual volunteers. Those volunteers field phone calls from immigrants with legal questions or problems, and from as many as 30 community partner organizations. Those groups will also refer people to the project.

"We're getting calls on an extremely wide range of issues," said project coordinator Javier Luengo-Garrido, who previously worked as a liaison, interpreter and education specialist in the Northampton school system.

Call center volunteers come from many different professions and countries, Luengo-Garrido said, and they help to direct immigrants to legal services that will provide them with free assistance for everything from deportation proceedings to obtaining passports for citizen children.

Sitting with a decision tree in front of her late last month, volunteer Camila Rodriguez of Northampton was speaking in Spanish to someone about how an older citizen child might apply for legal status for a parent.

Following a detailed set of instructions, Rodriguez was able to gather all the pertinent information needed for a debrief conversation with Luengo-Garrido. The two then made a judgment about what legal services the caller would benefit from: a family law attorney and possibly an interpreter.

"It's just a reality check that it's happening right here, next to us, all the time," Rodriguez said of federal immigration enforcement and the effects it has on local immigrants. "It made me realize how bad the situation is, how bad people have it."

The project provides legal referrals to immigrants for a wide range of situations, and also trains others to do the same in their communities.

"We have a central place where immigrants and their families and supporters can call," said Bill Newman, director of the local ACLU office and one of the project's founders. Newman described the landscape of immigrant legal materials prior to the project's creation as underorganized and underresourced.

Kludt, the Northampton immigration-law expert, is another of the project's founders, and said the group initially tried to prepare for what they thought would be most-needed during the administration of President Donald Trump: lawyers who could provide legal defense to immigrant detainees.

But soon it became clear other things were more needed. Recently, Trump's rescission of two programs has been the focus of many calls: Deferred Action for Childhood Arrivals, or DACA, which shields young undocumented immigrants from deportation; and Temporary Protected Status, or TPS, which offers relief to immigrants who are already in the United States from countries impacted by natural disasters or armed conflict.

"That's the need of the community and what we're requested to address," Newman said.

"We are getting to a point where our state of mind is that we have to be flexible with whatever the immigrant community needs," Luengo-Garrido added.

Another service the IPP has worked on is a "family preparedness plan" — a packet of advice on child care and legal rights, as well as translated forms, that helps immigrant families prepare for the possibility of family separation. The booklet has been endorsed by the state's attorney general.

Now, the project's volunteer army, around a year into its work, consists of dozens of lawyers specializing in bond hearings, family law and habeas corpus, some 10 translators, the 25 call-center workers and others. Partner organizations include local groups such as Casa Latina, Catholic Charities, Holyoke Health Center, the Pioneer Valley Workers Center and University of Massachusetts Translation Center.

"There was an incredible amount of people willing to do something a year ago," Luengo-Garrido said, referring to the time around Trump's election and inauguration. "How it started was with this raw energy. Now we've been able to harness that energy."

An example of the quickness with which the project and partner organizations can respond happened on Nov. 7, when federal immigration agents pulled over a van in Hatfield with nine farmworkers inside. The target of the stop was the driver, but agents with Immigration and Customs Enforcement, or ICE, also arrested two other men. All of them were undocumented Guatemalan immigrants.

A phone call about the raid came in to the Pioneer Valley Workers Center's emergency hotline, and that group dispatched volunteers to the scene. The project was alerted and was able to arrange for a lawyer and interpreter to meet

the detainees almost immediately at the Franklin County House of Correction.

Kludt said the project has been able to build an extensive network that can remain digitally connected — and in many ways work like their own law firm — using software designed by the prominent immigration lawyer Stephen Manning, who like Kludt has worked representing clients on the U.S.-Mexico border.

"A project like this would never work without that," she said of the software, which was developed for teams of lawyers traveling back and forth from the border and is given for free to pro-bono organizations like the Immigrant Protection Project.

And the project's network is expanding still. Sitting at the large desk surrounded by books in his Northampton office, Newman spoke about a recent training they had conducted in Boston, and was surprised to learn that another was fast approaching in Berkshire County. Newman said the project has done as many as 16 of those trainings.

ICE's infrastructure in New England is spread out between the agency's regional office in Boston, sub-office in Hartford, Connecticut, and several detention centers the agency operates, like one at the Franklin County House of Correction in Greenfield.

For that reason, and to spread the project's successes, the project has begun to connect with interested lawyers and advocates not just from Massachusetts, but from other states, too, including Connecticut and New Hampshire.

"It's bigger than just us, and that's part of what makes it so exciting and uplifting," Kludt said.

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A Look Inside Georgia's Newest Immigration Detention Center

By Jeremy Redmon

[Eugene \(OR\) Register-Guard](#), March 12, 2018

FOLKSTON, Ga. — Behind tall fences topped with coils of barbed wire in this rural corner of South Georgia, hundreds of immigrants from around the world are facing deportation. Eventually, they will file into a small room here and appear before an immigration judge via a video link so they can get an answer to the all-important question: Can I stay or must I go?

The privately operated detention center where they are being held is confronting a similar question about its fate. In November, U.S. Immigration and Customs Enforcement moved to close the Folkston ICE Processing Center, citing "low usage." Days later, the agency said it was re-evaluating that decision after Republican U.S. Rep. Buddy Carter, who represents the area, pushed hard to keep the facility open.

An ICE spokeswoman wouldn't elaborate about the detention center's future, saying her agency "doesn't comment on ongoing contract negotiations or activity." But during an exclusive tour of the facility that ICE recently granted The Atlanta Journal-Constitution, there were no indications it was shutting down or even shrinking. On the day of the AJC's visit, the 780-bed center was holding 661 detainees. Many grim-faced immigrants in blue uniforms could be seen waiting for their appointments in the health clinic, reading in the library and standing in line for lunch.

Carter said the pressure to close the facility "seems to have eased" since November, adding he has been working to facilitate a meeting about it between ICE and the Florida-based corrections company that operates it, GEO Group.

The congressman is defending the facility at a time when Georgia lawmakers are scrambling to eradicate rural poverty across the state. He has joined Charlton County, where just over one-quarter of the 12,497 residents live in poverty, in rallying to protect the 233 jobs, \$10 million in annual payroll and \$265,000 in annual county property tax revenue and fees tied to the center. GEO, which also operates the federal D. Ray James Correctional Institution next door, is Charlton's largest employer.

"There are a lot of people here who work there and rely on" the detention center, said Patti Gantt, the owner of Gantt Hardware and Hunting, a Folkston store that sells guns, ammunition and television sets to GEO workers. "If it closes, people would have to go an hour's drive to find a job."

Critics want ICE to shut down the Folkston facility and sever ties with private companies such as GEO.

"This immigrant prison doesn't benefit anyone but the company and county officials profiting off of the suffering of immigrants inside," said Christina Fialho, the executive director of Community Initiatives for Visiting Immigrants in Confinement, which wants to end immigration detention in the U.S. "This facility is a waste of taxpayer dollars and needs to be immediately closed."

The Trump administration, meanwhile, is pushing to add hundreds of additional detention center beds as it ratchets up immigration enforcement across the nation. Last month, ICE won a victory when the U.S. Supreme Court ruled 5-3 that people held in immigration detention centers do not have a right to periodic hearings to determine whether they should be released on bond. Some are now held for months or even years behind bars.

In the court's decision, Supreme Court Justice Samuel Alito Jr. wrote that detaining immigrants during their deportation proceedings gives the government "time to determine an alien's status without running the risk of the alien either absconding or engaging in criminal activity before a final decision can be made."

A long stretch of dark fabric hangs on the fence separating the immigration detention center and the federal prison next door. ICE asked for the nearly opaque covering to "create a visual barrier/separation" between the two GEO-run facilities, both of which were once part of the same federal prison complex.

In December 2016, Charlton and ICE signed a no-bid contract to open the immigration detention center next to the prison, a five-year agreement that will cost taxpayers \$1.9 million a month regardless of whether all the beds in the center are filled. To accommodate the immigrant detainees, officials renovated the former prison building, expanded the parking lot and added a soccer field and running track.

Only men are held there. Most are arrested along the U.S.-Mexican border and at ports of entry in California and Texas. Many come from Mexico and Central America, while others have traveled from Cameroon, China, Cuba, Eritrea, Nepal and Pakistan.

They share common rooms and sleep on blue bunk beds, use communal bathrooms and gather around octagon-shaped tables topped with chessboards. Citing privacy reasons, ICE did not permit the AJC to interview them without obtaining written permission from the agency and the detainees in advance.

But immigrant rights advocates who have visited them inside the detention center wonder about their medical care and to what extent ICE is putting them in solitary confinement. They cited the deaths of three detainees who had been held in other immigration detention centers in Georgia since May.

In January, a 33-year-old Cuban national died from pneumonia while in ICE custody after being held at a separate immigration detention center operated by a different corrections company in Stewart County. And in May, a 58-year-old Indian man who was being detained by ICE at the Atlanta City Detention Center died at Grady Memorial Hospital because of complications from congestive heart failure.

A doctor works at the immigration detention center in Folkston 10 hours a day, three days a week, and a nurse practitioner is there the other four days, according to GEO. The doctor is on call after hours for emergencies.

On May 15, a 27-year-old Panamanian national with a history of mental illness hanged himself with a sheet after being held in solitary confinement for 20 days at the Stewart Detention Center, which is operated by Nashville, Tenn.-based CoreCivic. GEO said it has used its "restrictive housing unit" in Folkston only once since December and that was for four days for a detainee who had committed "misconduct infractions." GEO added that a licensed clinical social worker and a psychologist work at the Folkston center on weekdays. Further, "suicide observation rooms" are available in the facility's medical department, according to GEO.

Advocates have also raised concerns about the center's remote location. It sits in a rural area near the alligator-filled Okefenokee National Wildlife Refuge, about five hours southeast of Atlanta. ICE said it chose the Folkston site partly because it is less than an hour from the Jacksonville International Airport in Florida and because other detention centers in the region were already full.

Still, its remote location makes it difficult for families and attorneys to visit, said the Rev. Leeann Culbreath, a deacon with the Episcopal Diocese of Georgia. She visited the center in March of last year and spent time with about 40 of the detainees in the dining hall. Most were from India and many had been transferred from detention centers in Arizona, California, Florida and Virginia. Roughly three-quarters didn't have attorneys.

That doesn't bode well for their legal cases. One out of every 10 immigrants wins his or her asylum case in immigration courts, according to Syracuse University's Transactional Records Access Clearinghouse, a research organization that monitors the federal government. Nearly half are successful when they have attorneys.

"They feel forgotten. They are out in the middle of nowhere," said Culbreath, a co-founder of the Tifton-based South Georgia Immigrant Support Network.

Recognizing those challenges, the Southern Poverty Law Center recently began offering free legal support for detainees at the Folkston facility, said Elizabeth Matherne, a lead attorney for the SPLC's Southeast Immigrant Freedom Initiative.

"If you put the detainee on the farthest corner of the United States," she said, "obviously it is going to be difficult for anyone to visit them, let alone help hire an attorney for them with any sort of due diligence."

Dawn Malin recently pulled her khaki Subaru Crosstrek into the former site of the West Fraser lumber mill, a huge industrial space north of Folkston with vast empty sheds, loading ramps that lead to nowhere and weedy driveways that give it the feel of a post-apocalyptic movie set. The mill — which at one time employed about 135 people — closed roughly 10 years ago, said Malin, Charlton's economic development director.

Giving the AJC a driving tour of the county, Malin traveled a mile south to Charlton Memorial Hospital, a darkened building with an empty helipad. Weighed down by millions of dollars in debt, the brick hospital with tan trim closed in 2013.

"We have had several hits already to our economy, so it was a great boost when ICE came in" with the immigration detention center, said Malin, who also leads the local chamber of commerce.

By some estimates, Folkston's immigration detention center is expected to create an estimated economic impact of

\$42 million for the region and \$21 million in revenue for GEO. It is also home to more than 10 percent of Charlton's 2,000 jobs, Malin said, so shutting it down would be like a punch in the gut for the county.

Malin ended her tour at Thai Smile, a popular downtown Folkston restaurant that serves pad Thai, sushi and hibachi food. The owner, Somsak Sangsawangwatana, a naturalized U.S. citizen from Thailand, sympathizes with the immigrants who wind up in the detention center. But he also worries what would happen to Folkston's economy if it were to close. GEO employees, he said, eat at his restaurant.

"Where are they going to go work if they close it up? It's not going to be good for people to lose their jobs and they have to move," he said. "How are they going to spend money?"

CRIMINAL INVESTIGATIONS

Man With AR-15-style Rifle Outside Indianapolis Women's March: What We Know

By Ryan Martin

Indianapolis Star, March 12, 2018

Ahmed Alaklounk, a man living in Indiana, was charged in federal court after two gun scares, including one involving an AR-15-style rifle outside a Downtown Indianapolis hotel on the day of the Women's March in January.

The charge in U.S. District Court for the Southern District of Indiana came last week. He also was charged in state court in connection with another gun incident.

Here's what we know about the cases so far.

Who is Ahmed Alaklounk?

Alaklounk, 22, lived in the Indianapolis area but was in the country illegally, officials say.

He is a native of Tunisia and citizen of Saudi Arabia, according to court records.

He last entered the U.S. on Jan. 10, 2016, through Washington Dulles International Airport on a student visa, records say. That student visa was terminated in September 2017, which put him out of compliance and made it illegal for him to be in the country.

He owns Medo Tire Shop at 3546 W. 16th St. on the west side, according to court documents.

Court documents also spell his name as Achmed Alaklounk. Which is the correct spelling is unclear.

What happened?

There are two incidents involving Alaklounk and guns.

The first of Alaklounk's two run-ins occurred around 3 a.m. on Jan. 20 at the Downtown Hyatt Regency, according to court records.

Hotel security called Indianapolis Metropolitan Police Department officers after seeing several firearms inside Alaklounk's truck parked at the hotel. Police told him to secure

his weapons in a hotel safe or out of sight in his vehicle because leaving them in the open could result in a break-in.

As Alaklounk moved a 22-caliber semi-automatic rifle to the back seat, records say, officers saw that the gun contained a scope, bipod and bump stock.

Hotel security were concerned because Alaklounk's hotel room overlooked the gathering area of the Women's March planned for that day. At least 3,500 people would later attend the march.

He was later kicked out of the hotel because security could still see the rifle through his truck windows later that morning, records say.

Why he rented the hotel room was unclear. Representatives for U.S. Attorney Josh Minkler and Immigration and Customs Enforcement declined to comment Monday.

What is a bump stock?

Bump stocks essentially modify a semi-automatic rifle to use the weapon's recoil to replicate fully automatic firing.

They gained notoriety late last year following a mass shooting in Las Vegas that left more than 50 people dead and several hundred others injured. Stephen Paddock, the suspect in the shooting, is said to have mounted his numerous rifles with a collection of scopes, bipods and bump stocks.

Bump stocks are legal, but President Donald Trump's administration is pushing to outlaw them. On Saturday, the Department of Justice took a first step by submitting a notice to the Office of Management and Budget in the White House that would lead to a ban.

Las Vegas shooting: Full victim list

What were the guns that he had?

Court records say Alaklounk possessed six handguns and the rifle.

The 22-caliber semi-automatic rifle was modified to function and look like an AR-15. It also had been equipped with a scope, bipod and bump stock.

Alaklounk told police his rifle was "fully tricked out," according to court documents.

Two handguns referenced in the second incident were actually pellet guns resembling semi-automatic pistols, police say. Whether the same handguns were in Alaklounk's truck during the first incident is unclear.

At Alaklounk's home, officers also found a 9mm handgun.

What was the second incident?

The second incident, which happened a week later on Jan. 27, is the one that led to local charges.

In an interview with police, a woman said she bought a tire from Medo Tire but it did not hold air. She and her father went to the shop, where a disagreement about the tire led to a fight.

Court records say Alaklounk grabbed the woman's father by the neck and threw him to the ground. As he tried to get up, two of Alaklounk's employees surrounded him.

Alaklounk and one employee then each pulled a handgun, records say. The woman then pulled a handgun from inside her car and fired it into the air.

Alaklounk then went into the tire shop and returned with his rifle, records say. He told the woman and her father: "If you leave, I'll f----- kill you."

After he told his employee to hold the two, Alaklounk pulled his truck behind the woman's vehicle so she could not leave.

The woman called police. Alaklounk dropped his handgun when officers arrived.

Alaklounk's attorney in the local case, Jennifer Lukemeyer, declined to comment on Sunday.

Why didn't police act sooner?

Alaklounk appears to have entered law enforcement's radar following the run-in at the hotel.

After he was told to leave the hotel, IMPD officers monitored him at the tire shop, according to court records.

That also is when U.S. Department of Homeland Security began investigating Alaklounk's immigration status and whether he could possess guns.

What is he charged with?

A federal criminal complaint filed March 7 alleges Alaklounk unlawfully possessed a firearm, which is against federal law when the person is in the country illegally.

The court documents contains details relevant only to the one alleged crime. But federal investigators are looking into allegations that Alaklounk "violated several provisions" of federal law, according to court documents. Court documents do not spell out what those provisions are.

Prosecutors could pursue more charges later if investigators uncover more evidence.

Alaklounk also is facing six criminal charges in Marion Superior Court: two felony counts of criminal confinement, two felony counts of intimidation, one felony count of unlawful possession of a firearm and a battery misdemeanor.

If convicted of the state charges, Alaklounk could face up to 16 years in state prison for each of two felony counts; up to six years each for two other counts; and up to 2 1/2 years for the fifth felony count.

If convicted of the federal gun crime, Alaklounk could face up to 10 years in federal prison.

Court records also show U.S. Department of Homeland Security placed an immigration detainer in Marion County Jail for Alaklounk. Detainers are used to hold a suspect in jail while federal agents obtain a warrant to begin deportation proceedings.

Alaklounk remained in Marion County Jail as of Monday afternoon, authorities said.

Where did the guns come from?

Alaklounk initially told police that the rifle belonged to his father, records say. But investigators learned that Alaklounk's father, a Saudi Arabian citizen, left the U.S. last February.

After the second incident, Alaklounk said he obtained the rifle from a customer after working on a car's tires, records say. Alaklounk also said he bought one of his handguns from a customer for \$300.

He told police that he kept the rifle in his truck because his wife didn't want them in the home, records say.

He did not have an Indiana handgun license, according to court documents. Indiana does not require a license to carry a rifle.

What is the tire store?

The business does not appear to operate like many other tire shops. There is no evidence of a website or Facebook page, for example, and an IndyStar review of online business filings could not find one for Medo Tire or one registered to Alaklounk.

The Indiana Secretary of State's website was unable to find records either.

Most commerce at Medo Tire appears to occur through Facebook Marketplace, where more than three dozen listings could be found Monday for used tires and rims.

An IndyStar journalist visiting the tire shop Sunday found a sign saying it was open 24/7, but the windows were dark and the doors were closed. Outside, a few piles of old tires lay along the store's parking lot.

Call IndyStar reporter Ryan Martin at (317) 444-6294. Follow him on Facebook and on Twitter: @ryanmartin

Saudi Citizen Faces Federal Gun Charge After Having Assault Rifle In Hotel Overlooking Women's March, Indiana Cops Say

By Jared Gilmour

Charlotte (NC) Observer, March 12, 2018

His black Chevrolet Avalanche was parked at an Indianapolis hotel in January on the day of the city's Women's March — and the vehicle was loaded with weapons, Indianapolis police said.

There was an AR-15-style rifle stowed between the front passenger seat and the middle console of the pickup, as well as six handguns scattered in the back, according to a criminal complaint. Concerned employees at the Hyatt Regency in downtown Indianapolis had called police to investigate at 3 a.m. on Jan. 20 after they noticed the firearms in the vehicle.

When police spoke to the man the car was registered to — Ahmed Alaklounk, 22 — he admitted the car was his, and said the rifle belonged to his father. Noticing the weapon had been equipped with a scope, bipod and bump stock, police said they asked Alaklounk if it was in fact a bump stock. He

responded yes, saying "it's fully tricked out," according to the criminal complaint.

Bump stocks are used to accelerate the firing rate of rifles. Las Vegas shooter Stephen Paddock used a bump stock during the October 2017 shooting he carried out at a music festival, killing 58 and injuring hundreds more with a rapid-fire spray of bullets from his hotel room overlooking the concert.

Alaklounk — a Saudi citizen and native of Tunisia — had no gun permit, an expired Indiana driver's license and had been living in Indiana illegally on a terminated student visa since September 2017, according to the criminal complaint. He's now facing federal charges for possessing a gun while living in the country illegally. If convicted, he could face up to 10 years in federal prison.

The room he was staying at Jan. 20 overlooked the site of Indianapolis' 2018 Women's March, which drew about 3,500 women, the Indianapolis Star reports. But Alaklounk wasn't arrested until about a week later, during a second gun-related incident, police said.

During their first encounter with Alaklounk at 3 a.m. on Jan. 20, police told him "not to leave firearms in the open due to the amount of vehicle break ins that occur in the downtown Indianapolis area," the complaint said. Police told Alaklounk either to put the weapons in his hotel safe or keep them out of sight in the car.

At 7:45 a.m., though, hotel security checked to see if the weapons had been moved, and saw the rifle in the same place between the middle console and the passenger's seat. Realizing his room overlooked the march, the hotel asked police to remove Alaklounk. Indianapolis police had Alaklounk and two unidentified men leave the room, according to the criminal complaint, and then authorities monitored Alaklounk that day as he went to the tire shop he owns in the city.

A week later, though, Alaklounk was in trouble again, police said.

This time a woman arrived at the shop with her father on Jan. 27 complaining of a shoddy tire. A disagreement over the tire escalated into violence — with Alaklounk grabbing the father by the neck and forcing him to the ground, according to the complaint. Then Alaklounk and one of his employees pulled out guns and pointed them at the father, investigators said.

At that point, the woman grabbed her own gun and fired a shot in the air, hoping to get the armed men away from her father, according to the complaint. Instead, Alaklounk had the employees detain the pair as he ran to get his assault rifle. When he returned with the AR-15-style weapon, he told the woman and her father: "If you leave I'll f---g kill you," the complaint said.

As the woman got in the car to leave, Alaklounk kicked the vehicle and then blocked her car in with his own vehicle,

the complaint said. The woman and her father called police, and when authorities arrived Alaklounk dropped his weapon.

Alaklounk was arrested, an immigration detainee was placed on him and he was held at the Marion County Jail in Indianapolis, the complaint said. In connection with the incident, he was formally charged on Jan. 31 in Marion Superior court with two counts of felony criminal confinement, two counts of felony intimidation, felony unlawful possession of a firearm and misdemeanor battery, the Star reports.

Alaklounk told police the incident had started when the father became angry and pushed Alaklounk, according to the complaint. Alaklounk also said he'd received the rifle in exchange for "work done on tires on a customer's car."

Alaklounk told police he had been in the Saudi military before quitting, and wanted to join the U.S. Air Force, according to the complaint.

Drug-Smuggling Scouts Face More Jail Time Under New Strategy

Associated Press, March 12, 2018

TUCSON, Ariz. (AP) — Court records show that prosecutors are using a new strategy to seek stiffer sentences for drug-smuggling lookouts who station themselves on top of southern Arizona mountains.

The Arizona Daily Star found out that border patrol agents have begun tracking the number and size of marijuana seizures made in the line of sight of lookouts.

Those seizures are then cited by federal prosecutors when they ask judges to lengthen prison sentences for the lookouts.

The Star reported Saturday that the strategy has increased a typical plea offer for a scout with no criminal history from six months to 13 months.

The U.S. Attorney's Office has wrestled for at least four years with how to prosecute drug scouts, who often are arrested without marijuana, in Southern Arizona.

Information from: Arizona Daily Star,
<http://www.tucson.com>

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SECRET SERVICE

Woman Accused Of Ramming White House Barrier Undergoing Evaluation At Federal Hospital

By Jackie Bensen

WRC-TV Washington, March 12, 2018

The woman who police say rammed a security barrier at the White House with her van while armed with a pistol is

undergoing a psychological examination at a federal medical center.

U.S. Secret Service officers took 35-year-old Jessica Ford of La Vergne, Tennessee, into custody on Feb. 23 after she struck the pop-up barrier near the White House, at 17th and E streets, the Secret Service said.

She was charged with impeding police and damaging government property, but her criminal case is on hold until the examination is complete, according to court records reviewed by the News4 I-Team. The evaluation could be completed in a month.

She had been arrested previously for trying to climb the White House fence twice in 2017.

No shots were fired and no one in law enforcement was injured in the incident, the Secret Service said, but a witness said he heard what he thought sounded like gunshots.

"After she hit the barricade, she just kept pressing on the gas and trying to push through, I guess," Chris Bello said. "That's what it looked like. And then they ordered her to stop, and they fire because she wouldn't stop."

He said it sounded like two or three shots.

It appears officers may have used something to smash the van's windows, possibly to get Ford out of the vehicle.

"I heard like a firecracker," witness Kimberlie Flauto said. "It didn't sound like a crash or anything and then I turned around and saw all the smoke and as soon as I saw all the smoke. And all the police were starting to pile out the back of the White House and from across the street. And then everybody's just screaming, 'Go, go!' and that's when I told all the kids, Go."

According to a police report, an officer saw a gun in Ford's hand before she was taken out of the van. The weapon was pointed in the opposite direction of the officers, and Ford ignored multiple commands from officers to drop the gun. Two officers had to take the gun from her hands before forcibly removing her from the van, the report said.

Officers arrested Ford and charged her with unlawful entry, carrying a pistol without a license, unregistered firearm, aggravated assault on a police officer, assault with a dangerous weapon-car, destruction of government property and contempt of court.

Records state that while officers were taking Ford to jail she said "she had the 'BB gun' because if James Burris was the president the officers would shoot her to protect him and that she knowingly brought the gun with her."

A law enforcement official said the Secret Service knows Ford because she's been around the White House before. She's believed to have mental or emotional issues.

On May 17, 2017, Ford was caught scaling the White House fence. She was rearrested July 6 when she violated a stay-away order at the White House.

Ford was again charged with several criminal violations and taken to the Metropolitan Police Department.

The White House was locked down but concern about the incident was low, NBC News Justice Correspondent Pete Williams reported. Secret Service and George Washington University police officers blocked off the area.

Operations at the White House returned to normal before 6 p.m.

President Donald Trump had just met with Australian Prime Minister Malcolm Turnbull at the White House.

"Thank you to the great men and women of the United States @SecretService for a job well done!" the president tweeted.

The News4 I-Team has reported more than 20 White House security breaches in the past four years. Many of them involve people with mental or emotional issues, and many of them try to do it again.

Counterfeit Currency Spikes In Eastern Iowa

[Associated Press](#), March 12, 2018

DUBUQUE, Iowa (AP) — Authorities have found a growing presence of counterfeit currency in eastern Iowa, and they're educating the public on how to avoid falling victim to fake money scams.

Dubuque Police Department Lt. Joe Messerich told the Telegraph Herald that officials identified a "significant spike in counterfeit cases" in the area, particularly during last fall.

The Dubuque County Attorney's Office saw a 128 percent jump in felony forgery cases last year, with 73 cases filed compared to 32 in 2016.

"We see various types of forged bills," Messerich said. "Some are fairly sophisticated, and some are not. Some you can see why people would be fooled. Others look like Monopoly money."

He said some forged bills are made locally, while another source is the "dark web." It's a part of the internet only accessible using specialized software that allows users to remain anonymous.

Messerich said they've also seen a recent trend of person-to-person forgeries through services including Craigslist or Facebook Marketplace. He said they're working to educate the public on how to spot fake money.

"Awareness is the biggest thing for us," Messerich said. "Just recognizing the signs of counterfeit bills."

Dubuque County Attorney Ralph Potter said counterfeiters are focusing on smaller denominations such as \$10 or \$20 bills, which used to not be the case because of the time and effort involved.

While the U.S. Secret Service is the federal agency that polices counterfeiting schemes, local authorities often do the bulk of the work, said Messerich.

"It's such a prevalent crime that any time there's a fake bill passed, the Secret Service isn't going to come and work that," he said.

Potter said the issue extends beyond the city.

"I've talked to prosecutors in Johnson (County) and Davenport," Potter said. "Everybody's having the same problem."

Information from: Telegraph Herald,
<http://www.thonline.com>

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EMERGENCY RESPONSE

FEMA Offers Tips For Rebuilding After Harvey At Home Improvement Stores

By Katherine Feser

[Houston Chronicle](#), March 12, 2018

The Federal Emergency Management Agency has teamed up with area home improvement stores to provide information and tips to help with recovery efforts after Hurricane Harvey.

FEMA mitigation specialists will offer information on how to prevent or reduce damage from future disasters when rebuilding. Recovery topics covered include flood insurance, elevating utilities and rebuilding flooded homes.

Representatives will be the following locations, March 12-17: McCoy's Building Supply, 675 FM 517, Alvin; Lowe's, 1655 W. FM 646, League City; Katy Lowe's, 19935 Katy Freeway; Home Depot, 3910 Eastex Freeway, Beaumont; and Lowe's, 150 S. FM 1069, Aransas Pass.

The information and literature is geared to do-it-yourself work and general contractors.

New Orleans School Officials Battle For Another \$50 Million From FEMA In Rebuilding Money

By Andrew Vanacore

[New Orleans Advocate](#), March 12, 2018

New Orleans public school officials are battling the Federal Emergency Management Agency for another \$50 million or so in rebuilding money, asking a federal judge to void a recent decision by an arbitration panel that went against the local school district.

FEMA awarded local schools roughly \$2 billion in 2010 to cover the cost of rebuilding dozens of campuses damaged by the flooding that followed Hurricane Katrina in 2005.

But the agency held back about \$200 million while the board pursued a lawsuit against its insurers. FEMA said it would hand over the rest only after determining whether money eventually paid as a result of the suit would be "duplicative" of pending federal aid.

Eventually, the Orleans Parish School Board got just under \$127 million out of the insurers, and FEMA concluded that about \$90 million was duplicative.

The board and the state-run Recovery School District, which took over most campuses in the city after Katrina, argue that FEMA's dollar figure is essentially arbitrary.

They've concluded that most of what the insurers paid out was for expenses other than what FEMA agreed to compensate them for and that the agency should cough up another \$46 million or \$50 million, depending on which of several calculations is used.

But after more than a year of negotiations, they lost out in a 2-1 decision by an arbitration panel in Washington, D.C., in December.

Now, the board and the RSD are asking a federal judge in New Orleans to overturn that decision. Brent Barriere, an attorney for the board, said the arbitration panel improperly assigned the burden of proof to local officials, rather than FEMA.

Whatever the outcome, there's no doubt schools in New Orleans could use more money for buildings. The \$2 billion promised by FEMA was never going to cover all of the district's needs, given how old some of the city's school buildings are. Maintenance problems were legion long before the storm.

"A lot of the older buildings only received partial repairs," said Ken Ducote, executive director of the Greater New Orleans Collaborative of Charter Schools, adding that some buildings still lack basics like a gymnasium or handicapped-accessible features.

"Certainly not all buildings were brought up to current standards," he said.

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CYBER NEWS

Homeland Security Sees No 'Nefarious Activity' Threatening Cybersecurity Ahead Of Midterms

Daily Beast, March 12, 2018

It's apparently all quiet on the election front. Bob Kolasky, a Department of Homeland Security official working on election cybersecurity issues, told The Daily Beast that DHS hasn't seen evidence of foreign actors attempting to hack American election infrastructure ahead of the 2018 midterms.

"We have not seen anything in the 2018 election, no," Kolasky told The Daily Beast last week in an exclusive interview. "We have not seen any significant nefarious activity."

Preparing to counter nefarious activity has been a major project for DHS since the 2016 general election, when the Kremlin launched an information attack on the United States. The American Intelligence Community concluded in January 2017 that Russian-backed actors stole emails from the

Democratic National Committee and Hillary Clinton campaign chairman John Podesta, and also launching a wide-ranging social media campaign using stolen American identities. And last September, DHS told 21 states that Kremlin-backed operatives also tried to compromise their voter databases.

Kolasky told The Daily Beast that the biggest change at DHS since the 2016 election has been efforts to build closer relationships with state and local election officials. In the last election cycle, those relationships had been lacking.

"Part of that problem was that the [2016] attacks were not on states, they were on local systems, and DHS claimed to have contacted the local systems," said Jim Condos, Vermont secretary of state and president-elect of the National Association of Secretaries of State. "We struggled with them in one of our meetings—talking with them for an hour, trying to get them to understand. This is the criticism from the beginning of 2016. DHS did not understand how the election system worked."

Condos continued, "We tried to them that if one state is attacked, all are attacked. If a local system is attacked, the whole state is attacked—and other states need to be in communications with one another."

Kolasky said that Homeland Security has come a long way since 2016.

"We've gotten to really learn and understand the way that elections are conducted," Kolasky said. "We have a richer understanding of the election management systems: the way they run processes and the best way to share information with them."

In the months since the 2016 mess, he said DHS officials have had "a little bit of a crash course on what it means to run an election." And, Kolasky added, senior department officials have met with most states' top election officials.

Another major change has been getting state and local election officials security clearances so they can view classified information about election threats. Kolasky said that the department made clearances available to more than 160 election officials in September, and that 19 have received clearances so far.

"DHS is in the process of doing that for all 50 states," said former Chairman of the U.S. Election Assistance Commission Matthew Masterson. "States need to request the clearance, but DHS is expediting the process."

"Secretary Lawson, along with other secretaries of state, is in the process of obtaining a security clearance that will allow her greater access to sensitive information," said Ian Hauer, deputy communications director for Indiana's secretary of state. "In return, we're educating DHS on our state and local-level cyber-protections and offering feedback on the systems they have set up."

And in February, Kolasky added, a host of officials got temporary one-day clearances for a briefing on election threats.

And while President Donald Trump has expressed skepticism that the Russian government threatened the 2016 election, Kolasky said the White House's National Security Council has been a major partner in DHS' efforts to block future election attacks. They have been especially helpful with bringing different federal agencies together, he said. He added that White House chief of staff John Kelly, who formerly headed DHS, has played a role in the work.

The National Protection and Programs Directorate, a low-profile component of DHS, has taken on the task of securing elections. The arm of DHS, through the Office of Cybersecurity and Communications, has provided services to state and local election officials—including cyber hygiene scans and cyber resilience reviews to check their election systems' security (PDF).

NPPD also funds MS-ISAC, a cybersecurity database designed to help states stay up-to-date about threats. The system was just formalized as a means of communication between state and federal agencies for cyberthreats at the Government Coordinating Council meeting.

While many states use NPPD's services, they aren't mandatory (the feds wouldn't have the power to require them even if they wanted to).

When state, local, and federal operations are all attempting to work together to protect themselves from an unpredictable and evolving force, communication has been key to get a grip on the learning curve before the 2018 midterms arrive. All parties say they know the risks involved if they don't.

"Every event or conference I have attended, the number one conversation I have with state officials is about securing the system, and what additional resources are available," Masterson said. "There's been a heightened awareness since 2016."

Indiana Secretary Of State Connie Lawson Addresses Voters On Security Issues

WBIW-AM Bedford (IN), March 12, 2018

(INDIANAPOLIS) – Indiana Secretary of State Connie Lawson wrote an open letter to American Voters:

There are real threats to all digital technologies, including those used to run elections. Election officials across the country are working day and night to identify, mitigate, and deter these threats. Our efforts seek to improve the overall security of election systems to ensure your votes remain safe and the process reflects your will.

In 2016, the intelligence community determined state voter registration systems were the target of cyber scanning activities by the Russian government. We have evidence that

in one case those efforts resulted in the successful theft of voter data from an online system.

However, election security is not something that began in 2016. Election officials have always viewed the security of our elections process as an essential component of our work. What is new is the potential for better information and resources from the intelligence community and federal agencies.

Notably, the U.S. Department of Homeland Security (DHS), has said repeatedly that the types of systems Russian actors targeted were NOT involved in vote tallying. Vote tallying systems have a lower cyber-risk profile than the other connected systems we rely upon to bring voters information and services.

Intelligence agencies agree these activities will intensify in scope and sophistication and could involve different actors and tactics. Election officials are acutely aware that the systems we manage are targets for bad actors, foreign and domestic, just like many high-profile companies and other government agencies. A strong defense requires a coordinated response from all levels of government, the private sector, and you, the voters. Any attempt to disrupt and delegitimize elections is an affront to democracy and is not acceptable to anyone in the elections community.

Since DHS designated elections as critical infrastructure in January 2017, local, state, and federal officials have worked tirelessly – and collaboratively – to respond. In every state, we are working hard to increase our defenses, build new detection techniques and plan for and practice recovery from possible incidents. We have also engaged private sector partners, non-profits and universities to help protect our systems.

In October 2017, a Government Coordinating Council was formed to ensure federal information and resources reach state and local election officials. The Council convened again on February 15, 2018 in Washington D.C. and we, its Executive Committee members, represent our colleagues in the elections community. The Council marks the first of its kind collaboration between federal, state and local officials to secure elections. We are formalizing information sharing protocols to ensure timely and action-able threat information reaches all election officials so they can respond to threats as they emerge.

Our Council has guided the delivery of direct resources from DHS to support state and local election officials including onsite risk and vulnerability assessments, as well as a variety of other services and trainings to support election officials. While Council members and state election officials were in D.C., we participated in classified briefings given by FBI, DHS, and officials from the Office of the Director for National Intelligence. This was an important first step.

These efforts require a "whole of government approach" on investment. Upgrading technology and investing in staff

with cyber expertise at the state and local level will carry a significant price tag and must be a continuous effort. This is a race with no finish line. Failing to invest will leave us less secure than we need to be, and increase the probability that aspects of the election process will face service disruptions that threaten electoral confidence. While not every federal or state bill professing to support elections security will be appropriate, and election officials are likely to disagree on plenty of policy particulars, we hope you will support the eventual investment.

For the last 18 months voters have been confronted with some true and troubling information, and your natural concerns have been intensified by the misreported information about election security. The reality is that these stressful moments are not over, but voters don't have to sit idly by and worry. Make your voices heard and your actions speak. You can help by continuing to participate in our democracy: vote, be poll workers and attend pre-election testing or post-election audits. We run elections at the state and local level because this democracy is yours, and it requires your participation.

On behalf of our election colleagues around the country, we assure you that our eyes are wide open about potential threats and we are working every day on your behalf to make our elections secure.

The legitimacy of our leaders lies in the essential American belief that elections reflect the will of the people. We are committed to our roll as enablers and defenders of that trust.

Hon. Connie Lawson, Indiana Secretary of State, NASS President

Mr. Judd Choate, Director of Elections, Colorado, NASED Immediate Past President

Mr. Noah Praetz, Director of Elections, Cook County, Illinois, Election Center Representative

Hon. Thomas Hicks, Chairman, U.S. Election Assistance Commission

Hon. Robert Kolasky, Deputy Under Secretary (acting) for National Protection and Programs Directorate, U.S. Department of Homeland Security

The Election Infrastructure Subsector Government Coordinating Council (EIS-GCC) is the first group of its kind to help important stakeholders share vital information regarding the elections process. The EIS-GCC includes members from the Department of Homeland Security, the U.S. Election Assistance Commission, the National Association of Secretaries of State (NASS), the National Association of State Election Directors, the Election Center and the International Association of Government Officials.

Secretaries Of State Slam Provision To Allow Secret Service At Polling Places

By Daniella Diaz

CNN, March 12, 2018

Washington (CNN)More than a dozen secretaries of state slammed a rider attached to legislation to reauthorize the Department of Homeland Security that would allow Secret Service to be dispatched to polling places nationwide during a federal election.

"This is an alarming proposal which raises the possibility that armed federal agents will be patrolling neighborhood precincts and vote centers," according to the letter, which was obtained by CNN.

In the letter, which was sent Friday to Senate leaders Mitch McConnell, a Kentucky Republican, and Chuck Schumer, a New York Democrat, the 19 secretaries of state write that they believe the proposal is "unprecedented and shocking."

"Secretaries of State across the country agree that there is no discernable need for federal Secret Service agents to intrude, at the discretion of the president, who may also be a candidate in that election, into the thousands of citadels where democracy is enshrined," they wrote.

The legislation has already passed the House of Representatives with bipartisan support, but it was not included in the Senate bill passed out of the Senate Homeland Security and Governmental Affairs Committee last week.

When asked for a comment, the White House referred CNN to the US Secret Service.

The Secret Service responded Monday to the Boston Globe, which first reported the story, saying the provision was "grossly mischaracterized."

"The only time armed Secret Service personnel would be at a polling place would be to facilitate the visiting of one of our protectees while they voted," the Secret Service said in a statement.

CNN has reached out to the House Appropriations Committee for comment on why the rider was included and has not yet received a response.

The full Senate still needs to approve the legislation, and then the House and Senate versions of the bills must be reconciled before going to President Donald Trump for approval.

Lawmakers Move To Expand DHS Cybersecurity Role

By Ramona Adams

ExecutiveGov, March 12, 2018

House and Senate lawmakers advanced two bills last Wednesday that would expand the Department of Homeland Security's cybersecurity mission.

The Senate Homeland Security and Governmental Affairs Committee passed a DHS reauthorization bill that

would reorganize the department's National Protection and Programs Directorate; secure personally identifiable information; and support cybersecurity research, Covington & Burling's government contracts unit said Friday.

The Senate version of the bill includes an amendment that would rename NPPD as the Cybersecurity and Infrastructure Security Agency and elevate the organization's cybersecurity role.

The legislation would also direct

Customs and Border Protection to remove PII such as social security numbers, passport numbers and residential addresses from manifests prior to public disclosure.

A third amendment seeks to support cybersecurity technology research, development, testing, evaluation and transition in partnership with other federal agencies, industry and academia.

The House Homeland Security Committee approved the Cyber Incident Response Teams Act, which would authorize DHS' National Cybersecurity and Communications Integration Center to form cyber hunt and incident response teams.

The teams will help asset owners and operators restore services after a cyber incident; identify potential cybersecurity risks and unauthorized cyber activities; offer measures to address vulnerabilities; and recommend ways to optimize network and systems security.

The Act permits NCCIC to fill the Cyber Incident Response Teams with cybersecurity specialists from the government and private sector.

U.S. Is Unprepared For Cyber Threats – FCW

By Chase Gunter

Federal Computer Week, March 12, 2018

Sen. Mark Warner at a hearing of the Senate Select Intelligence Committee earlier this year.

When it comes to cyberattacks against critical infrastructure, election systems and businesses, Sen. Mark Warner (D-Va.) believes the United States is "woefully unprepared" to handle threats from nation-states and others.

"We don't have our act together at all," Warner said at March 12 panel at South by Southwest. "We don't have a whole of government strategy... There needs to be a much greater sense of urgency."

Warner added this unpreparedness "goes back a decade-plus," and pointed to America's \$700 billion in annual defense spending – by far the most in the world – with proposed decreases in non-defense-specific research and development dollars and without a current cyber warfare doctrine.

"I would argue from a national security standpoint, we may be investing in the best 20th century military money can buy, and we ought to be thinking a lot of the conflict of the 21st century is going to be in cyber and misinformation and

disinformation," he said. "A reallocation of some of those resources would be worthy of debate."

Even in the wake of Russia's interference in the 2016 presidential election, and with the clock ticking before the 2018 midterm elections, "we are not ready as a nation in terms of election security," he said.

Warner, who introduced the Honest Ads Act to require heavily trafficked websites to disclose information about ads purchased on their sites, said that legislation alone would not be enough to effectively protect against interference.

"What you don't want to have happen is a bunch of us in Washington... doing this in a non-collaborative fashion," he said. "Because then, we'll mess it up."

In building strong cybersecurity, Warner also lamented the federal government's inability to attract cyber talent, pointing to lower pay, the protracted hiring process and a massive backlog of security clearance requests as hindrances.

On the industry side, Warner noted that as more devices become connected as part of the internet of things, "we have not even minimum standards built into any of those devices."

"We may need at least to use the purchasing power of the government," he suggested. "At least DOD, and I would argue for the whole of government, we ought to not be buying devices that are going to extend our vulnerability and start with that kind of standard."

Warner also said in the wake of data breaches, namely the Equifax breach, "we at least ought to explore some level of software liability."

"There should be a penalty paid, and it shouldn't be a slap on the wrist," he said.

At Tech-centric SXSW, Technology Is Now Getting A Skeptical Look

By Rob Pegoraro

USA Today, March 12, 2018

AUSTIN — After years of being seen as a hothouse of exuberance about technology, this year's South By Southwest conference has soured a bit on the industry's prospects.

Social media in general, and Facebook in particular, have taken a beating in multiple panels, and one of America's foremost tech entrepreneurs used his SXSW talk to warn about the dangers of artificial intelligence.

A Friday-evening session about Facebook's relationship with news publishers set the tone early on.

Facebook's news head Alex Hardiman said the company, having recognized that its News Feed had traditionally rewarded "stuff that did well in raw engagement and clicks," was trying to do better. Her fellow panelist, CNN host Brian Stelter, acknowledged that progress but

challenged the social network to do more for quality journalism.

"Shouldn't we have a bigger conversation about Facebook paying more directly for some of the quality journalism that's out there?" he asked.

"Everything is on the table," Hardiman responded.

After years of cheerleading by lawmakers and consumers, big technology is facing a backlash that's even got its own term — techlash. The rapid growth of Facebook, Google and Amazon has fed fears that these companies control too much of the information that gets shared and, in Amazon's case, the goods and services consumers buy.

"The Web that many connected to years ago is not what new users will find today. What was once a rich selection of blogs and websites has been compressed under the powerful weight of a few dominant platforms," Sir Tim Berners-Lee, the inventor of the World Wide Web, wrote in an open letter Monday that proposed a regulatory framework to balance the interests of companies and Internet users. "This concentration of power creates a new set of gatekeepers, allowing a handful of platforms to control which ideas and opinions are seen and shared."

Compounded by revelations that Russian operatives manipulated Facebook, Twitter and Google-owned YouTube to sway voters in the 2016 race, uneasiness with the most valuable tech firms has grown, increasing pressure from some — such as Sen. Mark Warner, D-Va. — to regulate political ads on the networks.

Traditional media, notably newspaper mogul Rupert Murdoch, have renewed calls for Internet companies to better compensate the news outlets whose contents they share. Conservative groups complain the companies' politically liberal staff unfairly squash their views. And former employees and investors have taken aim at the Internet companies and Apple for creating devices that addict their users.

The Internet companies have begrudgingly acknowledged that they play a role as media providers — apologizing for sharing conspiracy theories and faked Facebook posts around the election. But they've clung to their defense that at heart, they are technology companies that provide the platform, not the curation, for the content.

That attitude took a ribbing Saturday from Vox Media executive editor Kara Swisher and CNN correspondent Christiane Amanpour.

Swisher mocked Twitter and Facebook for refusing to call themselves media companies and instead reciting the stock phrase, "We're a tech platform that facilitates media" — a bit of useless vagueness that Amanpour criticized with a barnyard expletive.

That's a far cry from the uncritical reception that Wikileaks founder Julian Assange got for his appearance via

remote video in 2014, a SXSW keynote that has not aged well. Then again, he also bashed Facebook in that talk.

"People are realizing the power that technology has in our lives and asking technology companies to be more transparent and responsible," said Heather West, policy manager for Mozilla and a speaker at SXSW, in an interview Sunday. "And SXSW is an incredibly technologically savvy crowd who cares about these issues."

In a talk Saturday, Whitney Wolfe Herd — founder of dating and networking app Bumble — said a lack of gender diversity in technology has led to social networks whose mechanisms can invite harassment and abuse of the sort that white men don't usually experience online.

Name-checking Facebook, Twitter, Instagram and Snapchat, she said "these were not spaces built by women." She set a goal for Bumble that other social start-ups would be wise to adopt: "Engineer kindness on our platform."

The most depressing take on tech came from SpaceX and Tesla founder Elon Musk, a late-breaking addition to the SXSW schedule. In an onstage interview by Westworld co-creator Jonathan Nolan, he called for government regulation of general-purpose artificial intelligence, as opposed to the narrow sort that performs such tasks as allowing Tesla's electric cars to drive themselves.

"The danger of AI is much greater than the danger of nuclear warheads," he said. "If humanity decides that digital super-intelligence is the right move, we should do so very carefully."

Mike Godwin, a senior fellow with the R Street Institute, a Washington think tank, suggested that this skepticism represented a return to the climate of the mid-1990s, when SXSW first began adding tech programming. In an e-mail, he called that "a historical moment that was eerily similar to what we're experiencing now."

"I always assumed this transition was going to be a bumpy ride, so the current wave of bumps doesn't surprise me," he added.

But for all the tough talk on SXSW's stages, big tech has continued to march on. For instance, where last year's attendees could not use Uber and Lyft because they had fled Austin after the city government imposed strict fingerprinting requirements on their drivers, they're back, courtesy of the state legislature overturning the local rules.

One SXSW speaker versed in both technology and policy advised against reading too much into the current round of tech skepticism.

"The consolidation that's going on, the Amazons, Googles, all eating up other companies ... that creates a normal fear," said Rep. Darrell Issa, R-Calif., in an interview Sunday.

The congressman, earlier the founder of the car-security firm Directed Electronics, pointed to the eight start-up firms he would be having dinner with that night as a reason

not to worry. "Their goal may be to sell to Google, but the reality is that innovation is still going on, and those people are still optimistic."

How The Government's Cyber Agency Rates On Cybersecurity

By Aaron Boyd

NextGov, March 12, 2018

The Homeland Security Department—the government's point agency for cybersecurity—fell short of top marks in three of five areas in the annual information security assessment, according to a report released Monday.

The 2017 Federal Information Security Management Act report rates the department's various cybersecurity capabilities on a scale of 1 through 5, with the lowest score, 1, representing an "ad-hoc" use of information security and the highest being an "optimized" cybersecurity posture.

"Per the FY 2017 reporting instructions, Level 4, 'managed and measureable,' represents an effective cybersecurity function," Homeland Security's inspector general wrote. "Where an agency achieves Level 4 in the majority of the five cybersecurity functions evaluated, its information security program may be considered effective overall."

The department fell just short of that target. Of the five categories assessed—identify, protect, detect, respond and recover—Homeland Security achieved Level 4 in two and Level 3 in the remaining three areas.

The department achieved Level 4 cleanly in the incident response category with no additional recommendations from the inspector general. Auditors also gave the department a Level 4 designation for its ability to identify risk areas but qualified that score, as a number of classified and unclassified systems are still running without updated authorities to operate, or ATOs.

As of June 2017, 64 systems were running without security authorizations, including 16 integral to national security and 48 unclassified systems. While problematic, these numbers are down significantly year over year, from 79 unclassified systems operating without ATOs in 2016 and 203 in 2015.

The department has a goal of 100-percent compliance for its high-value systems and 95 percent compliance for lower value assets within each of its component agencies. For high-value systems, the Federal Emergency Management Agency, Immigration and Customs Enforcement, the National Protection and Programs Directorate—which oversees critical governmentwide cybersecurity initiatives—and the Coast Guard all fell short. For non-high-value assets, Homeland Security headquarters, the Federal Law Enforcement Training Center, ICE and NPPD missed the mark.

Level 3—Consistently Implemented

The other three efforts—protection, detection and recovery—are being implemented consistently, if not in a "managed and measureable" or "optimized" way, according to auditors, who gave the department a Level 3 ranking on each.

On the "protect" metric, the department fell short by not "implement[ing] all configuration settings required to protect component systems, continued using unsupported operating systems and did not apply security patches timely to mitigate critical and high-risk security vulnerabilities on selected systems," the report reads.

The audit found components were largely in compliance but failed to meet standards for certain security settings, such as disabling anonymous access to shared network drives. Similarly, most components were using approved, up-to-date operating systems. Some systems at headquarters, the Coast Guard and the Secret Service, however, were still using unsupported versions of Windows Server 2003.

Finally, the inspector general noted a lack of sufficient training opportunities for Homeland Security employees and an insufficient understanding of its workforce's cyber skills.

"Lacking such an assessment, DHS cannot assure that its employees possess the knowledge and skills necessary to perform their various job functions, or that qualified personnel are hired to fill cybersecurity-related positions," the report states. "DHS cited a lack of qualified security engineers from the overall labor market as the foremost reason for components failing to meet its [security authorization] metric."

Homeland Security failed to meet its goal on the "detect" metric, as well. While the department has a number of cybersecurity programs that help other federal agencies, its most widespread is Einstein, an advanced detection system designed to catch and stop known malicious traffic from entering federal networks.

Auditors declined to rate Homeland Security's internal detection efforts at Level 4 due to a lack of up-to-date software licenses for unclassified systems and reliance on data calls to components to monitor national security systems rather than using enterprise management tools to pull that data from a central location.

The inspector general also rated the department's "recovery" posture at Level 3, though not because of any specific incidents where the agency failed to rebound from an attack. The audit showed that the department and its components have fleshed out "Reconstruction Plans" in the event of a major incident but many of these plans have not been tested.

"Since the department's inception in 2003, components have not effectively managed and secured their information systems," the audit concluded. "Components have continued to operate systems without ATOs, used unsupported operating systems that expose DHS data to unnecessary

risks, ineffectively managed the [plans of action and milestones] process to mitigate identified security weaknesses and failed to apply security patches timely... Until DHS overcomes challenges to addressing its systemic information security weaknesses, it will remain unable to ensure that its information systems adequately protect the sensitive data they store and process."

Ultimately, the inspector general deemed "DHS has work to do to ensure the protection of the information and systems it uses to carry out its mission operations," and made five recommendations for the chief information security officer to pursue.

Homeland Security officials, including the CISO agreed with the auditors' findings and said the department was in the process of actively addressing them all.

Congress Checks In On Modernizing Government Technology Act Progress

NextGov, March 12, 2018

Lawmakers on Wednesday will get a mini-state of the union for federal information technology and hear progress made under the Modernization Government Technology Act.

Two House Oversight and Government Reform subcommittees will hear about governmentwide IT modernization plans and persistent issues in buying and implementing IT from a slate of IT officials. Government Accountability Office IT Management Issues Director David Powner, Office of Management and Budget Deputy Director Margaret Weichert, General Service Administration Deputy Assistant Commissioner Bill Zielinski and Homeland Security Department Assistant Secretary for the Office of Cybersecurity and Communications Jeanette Manfra are scheduled to attend.

The MGT Act became law in December as part of the annual defense authorization bill. Focused on updating aging systems, the law creates a central fund that agencies can borrow from and working capital funds where they can stash savings to pay for future IT projects. OMB issued guidance Feb. 27 to agencies for using the provision in the law and announced federal CIO Suzette Kent will lead the board that runs the Technology Modernization Fund.

It's Official, OPM Has A Permanent Leader

The last time the Office of Personnel Management has a permanent director was in 2015 before Katherine Archuleta resigned after the data breaches that compromised more than 21.5 million federal employees and applicants. The Senate on Wednesday approved nominee Jeff Pon by voice vote. He was nominated in September. Kathleen McGettigan has been serving as acting director.

Homeland Security Inches Closer to Reauthorization

The Senate Homeland Security and Governmental Affairs Committee on Wednesday passed the DHS

Authorization Act, which includes provisions to establish a bug bounty program, create cyber talent exchanges, and would elevate and rename the department's cyber unit the Cybersecurity and Infrastructure Security Agency. But a provision designed to help election security didn't make it through. Sens. James Lankford, R-Okla., and Kamala Harris, D-Calif., withdrew the Secure Elections Act, an amendment that would authorize the department to share cyber threat information with state election officials unless the Homeland Security secretary has a written, compelling reason not to. And the Senate still needs to work out some jurisdictional issues.

If Record Players Can Be Cool Again...

Legislation directing the Energy Department, intelligence community and national laboratories to look at analog options—or retro approaches—for securing the power grid is advancing in the Senate. The Securing Energy Infrastructure Act passed a Senate committee by voice vote and is included in the text of the 2018 Intelligence Authorization Act awaiting consideration now. An identical companion bill is still in committee in the House.

Tell Us About Your Vulnerabilities

Sen. Ted Lieu, D-Calif., last week wrote a letter to White House Cybersecurity Coordinator Rob Joyce asking whether Congress will get a copy of the Vulnerability Equities Process report—a summary of how the government decides whether to disclose when a software bug is found or keep it for intelligence gathering purposes. Lieu also asked whether the first report will include a report of 2017 activities and what authorities the VEP director has to compel agency compliance.

Senate Moving Forward On FOSTA

A controversial bill aimed at curbing online sex-trafficking that passed the House Feb. 27 is scheduled for a vote in the Senate on Monday. The Allow States and Victims to Fight Online Sex Trafficking Act would allow states and victims to sue websites that are "knowingly assisting, supporting or facilitating a violation" of federal anti-sex trafficking laws, but the tech community argues the bill could open companies to frivolous lawsuits. The current version of FOSTA drew renewed criticism from tech groups as lawmakers amended the language to mirror the bill's stricter Senate counterpart, which has stalled in the upper chamber since Sen. Ron Wyden, D-Ore., placed a hold on the bill in November.

Procrastinating on Political Ads

The Federal Election Commission delayed a vote on a rulemaking measure that would regulate expressly political advertisements online. The proposal looks similar to the Honest Ads Act, a Senate bill that would require web platforms like Facebook, Google and Twitter to disclose who pays for political ads posted on their sites in the wake of Russian meddling in the 2016 election. Initially introduced by

Sens. Amy Klobuchar, D-Minn., Mark Warner, D-Va., and John McCain, R-Ariz., the bill remains stagnated without Republican support.

Budget hearings dominate most of the week but there are few other tech hearings to watch for.

Wednesday morning the House Science, Space and Technology committee checks in with the national labs. A House Energy and Commerce committee examines legislation focused on cybersecurity and emergency response. In the afternoon, a House Armed Services subcommittee hears budget requests from Defense Department science and technology divisions, including the Defense Advanced Research Projects Agency.

Aaron Boyd contributed to this article.

How To Improve Federal Cybersecurity Efforts

By Don Maclean

NextGov, March 12, 2018

Last year was another banner year for cyber hackers and bad actors. A recent report found that the number of data breaches reached 1,202 in 2017—a 50 percent increase since 2015.

Breaches on both public- and private-sector networks resulted in millions of Americans having their personal and financial data compromised. The private sector was particularly hit hard with the massive Equifax data breach impacting 145.5 million people.

But federal agencies also continue to face major challenges. The Transportation Security Administration and the National Security Agency both experienced serious breaches, even as the federal government has taken steps in recent years to help prevent such successful attacks. These ongoing cyber breaches suggest agencies aren't doing all they can within the established cybersecurity frameworks and initiatives that abound across government today.

The public sector can, and should, play a larger role in helping ensure massive breaches like those at Homeland Security Department, Office of Personnel Management and even Equifax don't happen again. It's time for federal chief information officers and IT professionals to start looking at these initiatives as more than just a guideline, but critical to the success of our nation's security. Here is how federal agencies can improve their cybersecurity efforts in the coming year.

Better Adhere to the Cybersecurity Executive Order

A major cyber-focused directive promulgated in 2017 was President Donald Trump's cybersecurity executive order. In it are three key elements that need to be taken seriously in the year ahead.

The first is accountability. The order holds agency heads accountable for "risk and magnitude of harm." So far, security has been a bureaucratic obstacle for most agencies, an empty exercise in administration, with little or no

consequence for failure. Holding agency heads accountable makes cybersecurity a top priority, and in theory, creates consequences for those who fall short.

The second element is upgrading the federal cyber workforce. Government agencies have far less flexibility than the private sector when negotiating salaries, but there are some advantages as well. Cybersecurity professionals in the government, particularly in the military and intelligence communities, are on the front lines of protecting our nation, which serves as a motivational factor in the workplace. Also, because cybersecurity (like all technology) changes rapidly, ongoing training and education are essential. Cybersecurity professionals are curious by nature; reward active minds with education. Additionally, in some environments, cybersecurity folks can legally work in offensive operations, which is a fascinating opportunity not regularly available in the corporate world.

Third is the emphasis of modernization, an effort often assumed to diminish security concerns. However, recent survey results show a surprising, and sometimes controversial, reaction from chief information security officers. Many believe that while modernization is an overall boon, it can actually complicate security concerns. For instance, the move to the cloud is a key element in modernization and in the long run will improve the security posture of most government systems. In the short term, however, CISOs will need to adjust to the reality of new ways of operating that will take time and patience.

Update Priorities Based on Current and Future Technology Trends

Adoption and execution of federal cybersecurity guidelines can move the federal government closer toward a stronger cyber posture. To start, agency CIOs should focus on the basics. They can do this by identifying assets such as systems, networks, data, devices, applications; knowing where data resides, lives, and goes; knowing its sensitivity levels and privacy requirements; standardizing and documenting system configurations; and implementing a stringent patch management program.

On the other end of the spectrum from the basics is staying current. History shows that bad actors are early adopters, and tend to use new technology as soon as possible. If your agency doesn't move ahead, your adversaries will zoom past you. Look at machine learning solutions. Stay on top of developments in blockchain. Wrestle with IoT solutions. Be a moving target.

Streamline the IT Acquisition Process

Agency CIOs should look to industry partners to make the most out of their people, processes, and resources. Is your security budget really inadequate, or can you reallocate funds to make it more effective? Typically, too much money goes to bureaucratic assessment efforts. Agencies should look to automate wherever possible. More importantly, don't

just shelve IT products, system assessments, and metrics reports. Use what you've paid for, and act on the results and recommendations from those efforts.

Agencies are going to continue to face attacks from hackers. In all likelihood, 2018 will be just as challenging as 2017. That's why it's important to leverage the frameworks in place to face these ongoing and evolving challenges head on, and we can improve the nation's cybersecurity posture together.

Don Maclean is the chief cybersecurity technologist for DLT Solutions.

To Defend Against Hostile Nations, America Needs Fierce Cyberpower

By Michael Hayden

The Hill, March 12, 2018

The "Russia story" is big news here in Washington, rightly consuming a lot of the oxygen around town, but there are also some important subtexts at work in the Russia plot line. Like, what should be the ground rules for any future confrontation in the cyber domain?

Three weeks ago, in front of the Senate Intelligence Committee, National Security Agency Director Mike Rogers easily joined consensus with the rest of America's intelligence leadership that the Russians interfered in the 2016 election and were expected to do so again this year and in 2020. The collective intelligence leadership also conceded that they had not been given specific presidential direction to do much about it.

Last week, Rogers pretty much repeated that, this time in his other role as commander of the U.S. Cyber Command, before the Senate Armed Services Committee. He then talked about why we are failing to change Russia's (or any adversary's) behavior: "If we don't change the dynamic here, this is going to continue ... This is something that will be sustained over time." We haven't "changed the calculus or the behavior," he added, and our adversaries "haven't paid a price ... that's sufficient to get them to change their behavior."

Rogers is leaving NSA and Cyber Command shortly and, two days after this testimony, his successor, Army Lt. Gen. Paul Nakasone, was in front of the same Senate Armed Services Committee being asked many of the same questions and delivering many of the same answers. Talking about cyber adversaries like Russia, China, Iran and North Korea, Nakasone observed: "Right now, they do not think that much will happen. They don't fear us. That is not good."

"Our adversaries have not seen our response in sufficient detail to change their behavior," he concluded, echoing Rogers. They each would have been able to further develop their concerns and potential responses in closed session with the committee but, even at the unclassified level, it's pretty clear what they are getting at.

The Russian assault on America was a given, of course. Cyber espionage (the theft of the DNC's and Clinton campaign chairman John Podesta's emails) helped enable a covert influence campaign against the American election. Better cybersecurity to protect American information was needed, as were better responses to more diffuse threats like fake news, botnets and Russian manipulation of social media. And, obviously, the same could be said about defending industrial control systems and critical infrastructure.

With their strong cyber backgrounds, both Rogers and Nakasone know that the cyber domain gives near-crushing advantage to the offense. Last year the Defense Science Board predicted that this imbalance would last at least through the next decade despite the best efforts to bolster cyber defenses and to bake resiliency into important systems.

So, in their testimony, Rogers and Nakasone were suggesting something more than classic defense and better manning the perimeter (so to speak) to prevent penetrations. In one sense their comments echoed what, in the physical combat domains, is called "counter battery" or "suppressive" fires, which means using your weapons to make an adversary less capable of using his. In effect, using your offensive power to reduce his offensive capacity. In nuclear strategy, we called these "counter force strikes" and, here, one can picture disabling troll farms or botnets, although — given the ubiquity of cyber capability — counter force in the cyber domain could quickly resemble whack-a-mole when dealing with a determined enemy.

In the nuclear realm we also had "counter value strikes," holding at risk not an enemy's nuclear forces but other things he held dear. When Rogers talks about changing our adversaries' calculus and their paying a price, and when Nakasone observes that they don't fear us, the cyber commanders are squarely here in their thinking. Indeed, Rogers has been pushing a robust theory of cyber deterrence in his public commentary for several years now.

Thanks to great theoreticians like Hermann Kahn during the nuclear era, thoughts like these were woven into a complex doctrine of strategic deterrence, so effective that it remained theoretical and never had to be put to the test. Cyber conflict has been different. Legitimate state espionage remains an active and accepted international practice in this domain, and some states go even further to spy for raw commercial advantage. We have also seen uses beyond espionage that have included broad information warfare and even physical damage. The destructive North Korea attack on Sony Pictures in 2014 and various Iranian assaults against financial services come to mind.

Rather than just warn and help defend, Rogers and Nakasone now want the authority under a simple, agile command structure to "shoot back" to defend or deter, to either disable or punish an aggressor. They want to operate secretly and routinely in the cyber domain by creating a legal

and policy zone that authorizes robust, sometimes destructive responses, well above normal peacetime competition but below what we would define as the threshold of conventional conflict and open interstate war.

That's quite an ask, but other nations like Iran, North Korea, China and Russia seem to routinely operate in this band. Indeed, Russian doctrine assumes constant conflict there. And if we do not make a similar decision, much of America's cyber combat power will remain in the barn and unused against threats like Vladimir Putin's and others.

America has spent a fortune to have such capabilities at the ready. Now what is needed is will — and clear policy and guidance for folks like Rogers and Nakasone. That was the message that the new and the outgoing commanders were sending. And it had meaning and implications well beyond just today and the Russians.

Gen. Michael Hayden is a former director of the CIA and of the National Security Agency, and a visiting professor in the Schar School of Policy and Government at George Mason University. His forthcoming book, "The Assault on Intelligence: American National Security in an Age of Lies," is due out later this year.

Hackers Should Be Pumped About Gas Station Security Flaws

Researchers from Kaspersky Lab have found software vulnerabilities that deliver access to more than 1,000 gas stations around the world.

By Alfred Ng

CNET News, March 12, 2018

Add gas stations to the long list of everyday places and things no longer considered secure, joining hospitals, cars and televisions, to name just a few.

Kaspersky Lab released research on gas station vulnerabilities last month, pointing to more than 1,000 gas stations, from the US to India, that were open to cyberattacks. The problem stems from gas station pumps connected to the internet with default passwords that owners couldn't change and controls that give an attacker complete access to the machine.

On Friday, Kaspersky Lab senior security researcher Ido Naor and Israeli security researcher Amihai Neiderman presented their full breakdown of the issues with gas station security, during Kaspersky's Security Analyst Summit in Cancun, Mexico.

Their research showed that an attacker can change gas prices, steal credit card information logged on the pumps, get license plate numbers, steal gas, adjust temperature monitors and more.

"When we have root access, we can do anything we want," Neiderman said.

The attackers don't even need to be anywhere near your local gas station, Naor said. They can do it all remotely because these gas stations are connected online with a weak password, he said.

The online software comes from Orpak Systems, a fuel management company acquired by North Carolina-based Gilbarco Veeder-Root last May. According to Orpak, its software is installed in more than 35,000 gas stations around the world. Orpak put its guides online, showing technical details including passwords and screenshots of how to access its interface.

Orpak said the vulnerabilities were not relevant to its customers, as its gas stations in the US are in areas with no retail access and within closed corporate networks.

"Orpak has implemented software patches and upgrades, and sites where there may be vulnerabilities have been notified to implement additional IT security measures to reduce or eliminate risks," Aviv Tal, a spokesman for the company said in an email.

The guides and the gas stations were originally online for the sake of convenience. Several of the guides have since been removed, but we were able to independently find them through a quick Google search.

The vulnerabilities highlight the issues behind internet-of-things devices, which have been widely criticized for lack of security. Hackers have been able to launch massive cyberattacks because of unsecured webcams and DVRs. But with a gas station, the risks for a dangerous attack are much higher, Naor said.

In an extreme scenario, a hacker could adjust the pressure and temperatures in the tank, potentially causing an explosion, he said.

The trouble could be more mundane, too.

"You would have no idea that your little gas station could be remotely shut down, and your entire fleet is now grounded," Naor said.

Naor and Neiderman said they contacted the vendors in 2017, but were mostly ignored. It's likely that these vulnerabilities are still out there, Neiderman said. The machines are out of date, sometimes more than a decade old, and so is the software, he added.

"When we looked at the code, it doesn't appear that they have any real updating mechanisms," Neiderman said. "Pretty early on when we started talking to them, they ghosted us."

The US Military Could Begin Drafting 40-year-old Hackers

By Bryan Clark

The Next Web, March 13, 2018

The National Commission on Military, National and Public Service has begun seeking feedback on a host of

possible changes to the way it could one day draft young men and women for military service. Currently, the "selective service requirements" preclude certain men and women, specifically those over a certain age, from participating.

But that could soon change.

A document set to be published in the Federal Register later this week outlines a series of possible tweaks to selective service requirements, including allowing men and women with in-demand skill sets (medical, dental, nursing, language, cybersecurity, and certain STEM occupations) to be drafted, regardless of age or gender.

Not unlike the private sector, the military is facing a skills shortage in recruiting and training the modern soldier. It's hard to compete with six figure salaries in the peaceful tech mecca that is Silicon Valley, after all. For the military, and its already near-record low enlistment across all branches, this presents a unique set of problems. And options, from the looks of it, include all things up to, and including, reinstating the draft.

Only this draft would be unlike any we've seen previously.

From 1940 until 1973, the United States enforced a Roosevelt-era law known as the Selective Training and Service Act. The draft, as it was commonly known. And it was a spectacle in its own right. Young men aged 18 to 25 gathered around a radio (or a television, later) and waited to hear if their name was one of millions selected to provide additional manpower during conflicts (like WWII and Vietnam) or peacetime.

If selected, the cadet would report at a specific date and time to basic training, where he was handed a gun and briefly taught who to point it at. That ended in 1973, when the military switched to voluntary service — although 18 to 25 year-old men are still required to register, just in case.

As we transition to a world where wars are increasingly fought with keyboards, not boots on the ground, the most alpha of all alpha males could soon look to curmudgeonly old bronies plucked from the depths for 4-chan and tasked with securing our nation from enemies both foreign and domestic. For now though, it's just a debate — one in which you can speak your mind on by submitting comments to: national.commission.on.service.info@mail.mil

On a side note, I once melted the face off of a GI Joe with a magnifying glass, burying him in a shallow grave in the backyard in an attempt to conceal the crime. That GI Joe, I presume, is now rolling over in his grave.

Your Identity Is For Sale On The Dark Web For Less Than \$1,200

By Alyssa Newcomb

NBC News, March 12, 2018

Passwords for individual online banking accounts sell on the dark web for an average of \$160.15.

If that seems pricey, there's plenty of other personal information available for much less.

Getting in the front door of a person's Airbnb account will cost hackers about \$7.87. Uber credentials are a bargain at \$7. And if cybercriminals get hungry, they can get a GrubHub food delivery login for about \$9.16.

Those are the going rates compiled across three popular dark web marketplaces by Top10VPN, an online security and privacy education company.

"What really struck me [is] how everything has a value on the dark web," said Simon Migliano, head of research and operations at Top10VPN. "It brought home how opportunistic this really is."Related

The average person has at least a dozen online accounts, ranging from email and Facebook to online shopping, food delivery and banking. Add up all of those accounts and the typical internet user's identity is worth about \$1,200 to hackers, according to Migliano's calculations.

Nicolas Christin, an associate research professor in computer science and engineering at Carnegie Mellon, who is not affiliated with the research, told NBC News that the prices appear to be similar to what he's seen for sale on the dark web.

"Unfortunately, they don't tell us much: We don't know if people are actually buying these items. We don't know anything about the quality of the items in question," he wrote in an email.

On the dark web, Migliano described a system that could be likened to eBay or Craigslist, but for criminals. His team used automated and manual data collection during the week of Feb. 5 to build their index, which focuses on listings for American and British accounts.

The research focuses on three of the most popular places offering sensitive information on the dark web: Dream, Point and Wall Street Market. These platforms aren't accessible to the average internet user and don't show up in search engines. They often require particular software or special access, and hide users' identities — making them perfect for marketplaces that traffic in personal data, drugs and child pornography.

While a criminal wouldn't know for certain if the credentials they were buying actually worked or would lead to something of more value, Migliano said the covert online marketplaces are set up like any other online buying platform.

Sellers usually have ratings and reviews, so "as a would-be fraudster, you would want to be buying from a highly rated seller," Migliano said.

After criminals get the credentials to a person's account, whether it's their email or online shopping account, Migliano said they will then snoop around, hoping to find

more clues that could allow them to take over their target's identity.

"The problem is, people usually reuse their passwords," he said.

Here's why that's bad: If a hacker has access to a person's online dating account, they could then try that password on their target's email or banking accounts, opening the door to wider identity theft.

"Our research is a stark reminder of just how easy it is to get hold of personal info on the dark web and the sheer variety of routes that fraudsters can take to get hold of your money," Migliano said.

While the idea of cybercriminals forking over a few bucks to weasel their way into a person's online accounts sounds scary, there are a couple simple cybersecurity practices that can keep everyone safe.

Robert Siciliano, a security analyst with digital security firm Hotspot Shield, said it is important to use unique passwords for each account and to change them regularly. Two-factor authentication, where a code is sent to a phone and then used to log in, can also keep users safe.

"Because billions of passwords are in circulation it is essential that consumers do not reuse passwords," Siciliano said. Because on the dark web, "every aspect of personal identifying information is up for grabs."

Week Ahead: NSA Nominee Heads Before Senate Intelligence Committee

By Morgan Chalfant

The Hill, March 12, 2018

President Trump's choice to helm the National Security Agency will face lawmakers on the Senate Intelligence Committee for his second confirmation hearing on Thursday.

Lt. Gen. Paul Nakasone, the Army's current cyber chief, was unanimously approved by the Senate Armed Services Committee on Tuesday to serve in the dual-hat role as NSA director and commander of U.S. Cyber Command.

Nakasone is sure to face a flurry of questions about cyber threats to the United States, the U.S. intelligence mission, and the possible separation of NSA and Cyber Command, after Trump formally elevated the latter into its own warfighting unit last year.

Nakasone is likely to be grilled by lawmakers on Russian interference in the 2016 election and potential threats to the 2018 midterm elections, a topic that figured prominently during his first confirmation hearing before the Armed Services panel.

Nakasone, who has been received warmly by both Democrats and Republicans, acknowledged at that hearing that foreign adversaries including Russia have not faced steep enough penalties in cyberspace to change their malicious behavior.

Nakasone's open confirmation hearing before the Senate Intelligence Committee will take place Thursday morning and could be followed by a closed-door session with lawmakers, the committee announced Friday.

Should he be confirmed, Nakasone will replace Adm. Michael Rogers, who is expected to retire from his post later this year.

Meanwhile, Armed Services senators will hear from Nakasone and other U.S. military cyber commanders on Tuesday about the cyber posture of their respective branches. The hearing will feature the top cyber commanders of the Army, Air Force, Marine Corps and Navy.

Those hankering for some kind of response from Congress to the massive Equifax data breach might actually get their wish in the coming week.

The Senate is poised to soon vote on a measure requiring credit-reporting firms to offer free credit freezes to consumers who request them, which is included in a broader banking reform package.

Equifax weathered massive criticism for its response to the breach last year, which exposed sensitive personal data on more than 145 million U.S. consumers. The cyberattack has triggered efforts in Washington to create a national standard for breach notification, in addition to other legislative proposals.

While the measure requiring free credit freezes is viewed as a response to the Equifax breach, Sen. Mark Warner (D-Va.) told *The Wall Street Journal* that he wished it did more to rein in credit-reporting firms.

"They have all of our personal information," Warner said. "And there are no clear standards and clear penalties."

The Senate has teed up a cloture vote on the broader package, S. 2155, which eases a number of Dodd-Frank financial regulations, on Monday evening.

Next week could also bring more movement on a measure reauthorizing the Department of Homeland Security (DHS). The measure includes a number of provisions related to the department's cybersecurity mission.

The bill advanced the Senate Homeland Security and Governmental Affairs Committee on Thursday and notably includes language reorganizing and renaming Homeland Security's lead office for cybersecurity and infrastructure protection, the National Protection and Programs Directorate.

What the bill does not include, however, are measures addressing election security despite growing fears about future Russian interference. Sen. James Lankford (R-Okla.) planned to introduce an amendment to the bill addressing the issue with Sen. Kamala Harris (D-Calif.), though he was forced to withdraw it at the last minute after receiving complaints from some state-level election officials.

Lankford signaled he might still offer a revised amendment to the bill, which can now move to the Senate floor.

The House has already passed stand-alone bills reauthorizing Homeland Security and renaming the cyber office.

Port Of Longview Hit With Major Cyberattack

Longview (WA) Daily News, March 12, 2018

The Port of Longview was recently victimized by a cyber attack that may have affected hundreds of past and current employees and dozens of vendors.

The FBI notified the port of the attack on Feb. 1, according to an internal memo obtained Monday by The Daily News.

However, the FBI told the port additional details about the attack are "classified," according to the memo. The date on the the FBI's initial report on the attack was Jan. 18, 2018, the memo said.

An investigation led by SecureWorks, the port's cybersecurity firm, found the attack had the potential to affect 370 past and current employees — including past Port of Kalama employees — and 47 vendors. (The Port of Longview used to manage Port of Kalama employees' benefits.) The attack may also have affected 22 longshoremen, the memo said.

Investigators traced the attack to internet service provider addresses in Russia, Liberia and Kazakhstan, according to the memo.

"The port has no indication that personal information was compromised," port spokeswoman Brooke Hendrickson said in a prepared statement to The Daily News.

The port is mailing notification letters to potentially affected individuals and companies on Tuesday, Hendrickson said. In addition, internal staff and 14 affected longshoremen have already been verbally notified, she said.

"As you can imagine, this process was time- and labor-intensive, but we wanted to be certain about who may have been affected and what information about them was involved," Hendrickson said, explaining why the port didn't immediately notify potential victims. "We are notifying individuals as quickly as possible after we completed our investigation."

Reached by phone Monday afternoon, the president of the local longshore union said he was unaware of the attack.

"This is the first I've heard of it," said Billy Roberts, president of the Longview-based International Longshore and Warehouse Union 21.

Mark Wilson, the Port of Kalama's executive director, declined to comment.

Hendrickson said the port's main investigation is complete, but port officials still are waiting to receive a final report.

As a precaution, the port is providing one year of credit and identity theft monitoring for potentially affected individuals.

After notifying SecureWorks about a potential security breach, the company's cybersecurity experts developed a plan that included reviewing all server logs, other logs and data available, according to the memo. The company also installed network scanning software.

The intruder's motive was unclear, according to the memo.

The investigation found that a number of servers were compromised, but it could not definitely determine whether any data or information was taken. As a result, investigators assumed that data was stolen, the memo said.

The investigation was able to confirm that two administrator accounts were hacked.

The port's cyber insurance carrier, Beasley, also required the port to engage the Baker Hostetler law firm in a three-way contract to preserve attorney-client privilege, the memo said.

Baker Hostetler, which has a relationship with the FBI, shared the IP address and malware information with the agency's officials, but did not receive any information in return, the memo said.

The port has cybersecurity insurance and notified its broker on Feb. 5, according to the memo.

Estimated costs to the port are roughly \$60,000, the memo said.

It was not immediately clear Monday when the port expects to receive a final report on the attack.

Get Hit By Internet Crime? Good Luck Getting Help From Some Local Police

By Tim Johnson

McClatchy, March 12, 2018

In practically the blink of an eye, Maggie Irizarry lost about \$1,300 to thieves. But the culprits weren't robbers who broke into her Miami home. They were hackers who connived their way onto her Lenovo laptop.

Because of that, local police balked at getting involved. Irizarry's only recourse was to plead for mercy with her bank and credit card company in hopes of recovering her loss.

Hundreds of thousands of Americans are victims of cybercrime every year. Yet only 15 percent of cyber fraud victims ever report the crimes to law enforcement, the FBI says. Many victims — those who have lost hundreds or thousands of dollars — feel they have nowhere to turn.

The truth is they often do not. Most local and state law enforcement agencies are not equipped to track down cyber crooks. The FBI is swamped and must prioritize big cases.

"It's a huge problem," said Nick Selby, a Texas police detective and information security consultant. "It's difficult for local law enforcement because we don't have the training."

International cyber gangs prey upon U.S. victims by hacking their computers to obtain credit card and Social

Security numbers to defraud banks and retail outlets. But other crimes are also on the rise.

"They are things like, 'My ex is tracking me with spyware on my phone,' or 'My neighbor has hijacked my wireless and is doing illegal things.' There's nobody to tell about this," said Michael K. Hamilton, founder and president of Critical Informatics, an information security firm that operates out of Bremerton, Washington.

Local and state law enforcement agencies often are ill-equipped to investigate digital crimes, which can originate across state lines or outside of the United States. Prosecutors sometimes hesitate to take on complicated cases with low conviction rates. At the national level, a rise in cases inundates the FBI, the lead federal agency on cyberattacks and crimes.

This threat is now coming at us from all sides.

Christopher Wray, FBI director

"This threat is now coming at us from all sides," FBI Director Christopher Wray said March 7 at Boston College. "We're worried — at the FBI and with our partners — about a wider range of threat actors, from multinational cyber syndicates and insider threats to hackers. And we're concerned about a wider gamut of methods..."

For Irizarry, a chemical engineer who worked at the Environmental Protection Agency before her retirement, the threat came one day when her laptop screen turned bright red.

"It gave me a message to call Microsoft. Dumb me, I supposedly call 'Microsoft.' It was an 800 number," Irizarry said. "I panicked a bit."

The call responder said he would fix Irizarry's computer for \$300, so she turned over her credit card number and gave the man remote electronic access to her hard drive.

Later, her phone rang. The callers said they'd overcharged her credit card by \$1,000.

"They started screaming at me, saying they were going to be fired because they made this huge mistake," she said. Then they asked her to go to a CVS drugstore "and get \$1,000 in gift cards in \$100 denominations," she said. "At that point, I figured out that they were not Microsoft."

At the urging of a friend, Irizarry called the FBI, and an agent told her to alert her bank and credit card company. Then she went to city police.

"The guy said, 'I cannot take your complaint.' I said, 'Why not?' 'Because you don't know who did this,'" she said. She said the man had an Indian accent, and the officer surmised that the internet scam operated from India.

"They do this all the time, he said, and we don't have jurisdiction over this. You don't have a name or an address," Irizarry recalled.

Luckily, the bank reimbursed her \$1,000 loss and so did the credit card company. She held \$500 in Apple gift cards

which she had bought but not yet turned over to the fraudsters.

At the urging of the FBI, Irizarry filed an electronic complaint with the bureau's Internet Crime Complaint Center, a national clearinghouse. The center received 298,728 complaints with total losses in excess of \$1.3 billion in 2016, the latest year for which statistics are available.

While the FBI sorts through and bundles even the smallest internet crimes, active investigations concentrate only when losses are large.

There's just too much cybercrime for them to look at anything below \$1 million.

James A. Lewis, Center for Strategic & International Studies

"We talked to one of the bigger field offices in the U.S. and they said, 'We have a million-dollar threshold.' There's just too much cybercrime for them to look at anything below \$1 million," James A. Lewis, head of the technology policy program at the Center for Strategic & International Studies, said at a Feb. 21 event.

In a follow-up interview this week, Lewis said local police departments often have only one or two cyber specialists, and prosecutors and judges may not have significant expertise.

"There's a reluctance, I think, below the federal level to take on what can be very tough cases," Lewis said.

Selby, the Texas detective, said local police departments will take a strong interest if a cyber case involves terrorism, human trafficking or child pornography.

Can't turn your computer on or off? Is it acting up, running slow, opening pages you didn't click, or displaying pop-ups constantly? There's a good chance your computer's been hacked or infected with a virus. Here's what to do. Federal Trade Commission www.consumer.ftc.gov

"If you got your identity stolen and you're looking for more than a police report, no, you're out of luck," Selby said, adding that the matter is partly generational. "You still have generations of chiefs of police who are in their 60s. They are not really focused on this."

Some smaller departments have hired experts with formidable cyber forensics skills.

"There have been cases where I've been able to trace activity back to Eastern Europe," said Anthony Kava, a digital forensics examiner and special deputy at the Pottawattamie County Sheriff's Office in western Iowa. But FBI support is hard to obtain.

There's a long queue to get things done because everyone wants their (the FBI's) assistance.

Anthony Kava, Pottawattamie County Sheriff's Office

"There's a long queue to get things done because everyone wants their (the FBI's) assistance," Kava said.

At the Miami-Dade County Police Department, which is separate from the Miami City Police that declined to handle

Irizarry's matter, officers are instructed to take all cyber complaints, said Sgt. Armando Borrego of the Organized Fraud Intelligence Squad. But cybercrimes that originate abroad are problematic.

"What recourse do we have? Our jurisdiction is Miami-Dade County. How do we put somebody behind the computer? Honestly, we can't," Borrego said.

Even the FBI struggles with getting hit by cybercrime.

Last month, the FBI alerted citizens to beware of criminals sending emails impersonating its Internet Crime Complaint Center, suggesting to victims that they could receive restitution if they provided more information about themselves. The bogus emails contained an attachment.

"The text file contained malware which was designed to further victimize the recipient," an FBI release said.

Tim Johnson: 202-383-6028, @timjohnson4

Canadian Man Accused Of Helping Drug Cartels With Encrypted Phones In FBI Bust

By Cristina Maza

Newsweek, March 12, 2018

The CEO of a tech company specializing in encrypted phones was arrested because his devices allegedly helped international drug cartels and other criminal organizations conduct business.

Vincent Ramos was charged on Thursday with racketeering, conspiracy to conduct enterprise affairs, aiding and abetting, and conspiracy to distribute narcotics, among other charges. The Canadian national heads the Vancouver-based company Phantom Secure.

The FBI alleges that a joint investigation with law enforcement officials in Australia and Canada determined that the phones Ramos produced were made explicitly for evading law enforcement. The criminal complaint filed against him said that the company advertised its products directly to criminal organizations, including gangs like the Hells Angels. Ramos allegedly told undercover FBI agents last year that his company's products were made for drug trafficking.

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Police stand guard before the arrival of Hector "El Guero" Palma Salazar, member of the Sinaloa cartel at the international airport in Mexico City on June 15, 2016. PEDRO PARDO/AFP/Getty Images

"Phantom Secure operated the encrypted Phantom Secure network, which used Phantom Secure devices to send and receive encrypted messages in furtherance of transnational criminal activity," according to the criminal complaint.

The company removes cameras, microphones, GPS, and other tracking devices from its phones. It also uses the common encryption technology pretty good privacy (PGP) to make it impossible for law enforcement to access and read

messages, according to the complaint. What's more, the company allegedly also had the ability to clean phones of data remotely when one of the phone's users was arrested, making it harder for law enforcement officials to collect evidence.

The Phantom Secure devices are frequently used by the Sinaloa Cartel in Mexico, according to the complaint. The cartel is infamous for international drug trafficking, money laundering, kidnappings, and bribery.

Also on Thursday, Federal prosecutors in San Diego indicted 75 people associated with the Sinaloa cartel for drug trafficking and money laundering. Investigators seized \$6 million in cash and hundreds of pounds of drugs like fentanyl, heroin, cocaine, and marijuana as part of their ongoing investigation.

OTHER DHS NEWS

US Sets New Record For Censoring, Withholding Gov't Files

Associated Press, March 12, 2018

WASHINGTON (AP) – The federal government censored, withheld or said it couldn't find records sought by citizens, journalists and others more often last year than at any point in the past decade, according to an Associated Press analysis of new data.

The calculations cover eight months under President Donald Trump, the first hints about how his administration complies with the Freedom of Information Act.

The surge of people who sought records but ended up empty-handed was driven by the government saying more than ever it could not find a single page of requested files and asserting in other cases that it would be illegal under U.S. laws to release the information.

People who asked for records under the Freedom of Information Act received censored files or nothing in 78 percent of 823,222 requests, a record over the past decade. When it provided no records, the government said it could find no information related to the request in a little over half those cases.

It turned over everything requested in roughly one of every five FOIA requests, according to the AP analysis.

Records requests can take months – even years – to get fulfilled. Even then, the government censored documents in nearly two-thirds of cases when it turned over anything.

The federal government also spent \$40.6 million last year in legal fees defending its decisions to withhold federal files, also a record. That included the time when a U.S. judge ruled against the AP and other news organizations asking for details about who and how much the FBI paid to unlock the iPhone used by a gunman in a mass shooting in San Bernardino, California. When the government loses in court, it

sometimes must pay the winner's attorney's fees. For example, the New York Times was awarded \$51,910 from the CIA in May in a fight over records about chemical weapons in Iraq.

It was impossible, based on the government's own accounting, to determine whether researchers, journalists and others asked for records that did not actually exist or whether federal employees did not search hard enough before giving up. The government said it found nothing 180,924 times, an 18 percent increase over the previous year.

"Federal agencies are failing to take advantage of modern technology to store, locate and produce records in response to FOIA requests, and the public is losing out as a result," said Adam A. Marshall, the Knight Foundation litigation attorney at the Washington-based Reporters Committee for Freedom of the Press.

He said citizens and others should try to precisely describe how they want filings cabinets, hard drives or email accounts searched, but "you shouldn't have to be an expert in records management just to submit a FOIA."

In other cases, the times the government said it would be illegal under other U.S. laws to release requested information nearly doubled to 63,749. Those laws include broad prohibitions against revealing details about U.S. intelligence activities or foreign governments, trade secrets, individual banking or tax records and more.

Many of those requests probably involved files related to the U.S. investigation into how Russia interfered in the 2016 presidential election or the related grand jury investigations or about Trump's personal or business tax returns, said Kel McClanahan, a Washington lawyer who frequently sues the U.S. government for records. "How many people do you think asked for Trump's tax returns?" he asked.

A disturbing trend continued: In more than one-in-three cases, the government reversed itself when challenged and acknowledged that it had improperly tried to withhold pages. But people filed such appeals only 14,713 times, or about 4.3 percent of cases in which the government said it found records but held back some or all of the material.

The Trump administration, in a new report last week, noted that it received a record number of information requests last year. It said many agencies reduced their backlogs of overdue requests.

The administration also said it was directing federal agencies to improve the number of requests they process and do some more quickly.

Performance under the records law by the Trump administration has been a source of curiosity, since Trump has eschewed some of the common conventions of transparency. For example, the president has declined to release his personal tax returns or logs of official visitors to the White House, and ethics waivers granted to many of

Trump's political appointees do not include details about their former or current corporate clients.

But Trump is personally more accessible to reporters asking questions than President Barack Obama, and he released as many details about his medical records as previous presidents.

The Freedom of Information Act figures, released Friday, cover the actions of 116 departments and agencies during the fiscal 2017, which ended Sept. 30. The highest number of requests went to the departments of Homeland Security, Justice, Defense, Health and Human Services, and Agriculture, along with the National Archives and Records Administration and Veterans Administration.

The administration released its figures ahead of Sunshine Week, when news organizations promote open government and freedom of information.

Under the records law, citizens and foreigners can compel the U.S. government to turn over copies of federal records for no or little cost. Anyone who seeks information through the law is generally supposed to get it unless disclosure would hurt national security, violate personal privacy, or expose business secrets or confidential decision-making in certain areas.

One of a package of stories marking Sunshine Week, an annual celebration of access to public information.

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GLOBAL MEDIA

Take Refugees Or Face Visa Caps, EU To Tell Other Countries: Die Welt

Reuters, March 12, 2018

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Q&A: Australia's Immigration Rate Should Be Cut In Half, Bob Carr Says

Former foreign affairs minister says the benefits of immigration could be preserved but effects managed by slowing down rate

By Anne Davies

The Guardian (UK), March 12, 2018

The former foreign affairs minister Bob Carr has called for Australia to cut its immigration rate in half, declaring that the country's experiment of running the fastest rate of immigration in the world was an experiment that was failing.

Monday's ABC Q&A program concentrated on just one issue: Australia's immigration levels and the pressures on our cities. As well as Bob Carr, the panel included experts on housing, development, the environment and migration policy.

The audience included over a third of people drawn from the growth hotspots in Sydney, who gave voice to concerns about traffic congestion, overdevelopment and pressure on schools and services.

A faultline quickly developed among the panellists over whether it was a question of the level of immigration or the failure of governments to adequately plan and invest in the infrastructure needed to cope with the population.

As premier of New South Wales between 1995 and 2005, Carr famously declared that "Sydney was full". At that stage the city's population was approaching four million and his government was under pressure over transport and infrastructure.

But while Sydney was one of the great melting pots of the world, which Carr acknowledged – "37% of the population of Sydney was born overseas, we celebrate it" – he said even immigrants were asking whether Australia could achieve the same benefits from migration at a less dramatic pace.

"Do we really want to be adding a million to our population every three and a half years? Would it be such a departure from God's eternal plan for this continent if we took six years about acquiring an extra million?" he asked.

Carr pointed to a poll – he did not say which one – which had shown that "74% of Australians think there is enough of us already".

But John Daley from the Grattan Institute argued strongly that the concern in Australian cities was not about levels of migration per se, but its impacts, such as skyrocketing house prices and congestion. He argued that Singapore had achieved relatively low levels of congestion on its roads by imposing unpalatable taxes to prevent people driving from into the city.

"Australia's transport system is not that bad," he said. There are plenty of roads, there are plenty of large roads, the issue is how much road space have we got relative to how many cars are trying to get around."

Tim Flannery from the Climate Council highlighted Australia's fragile environment. "We are a big country and Canada is a big country and Antarctica is a big continent as well – the habitability is the thing," he said.

"It's a big land but it is not a fertile land. We have to look at all of those factors as we grow. With the impacts of climate change, western Sydney will start feeling the heat because the heatwaves are getting longer, hotter and more frequent. The infrastructure we are building isn't fit for purpose for that future. And I think we will struggle."

Asked by a woman about the pressure on schools, Daley said planners had not envisaged that people with kids would live in the inner and middle rings of our cities. "I don't

think that people 15 years ago believed that there would be families. Now, things have changed. A lot more families are prepared to live there. And so we need to make sure that politicians get behind that and invest the money in schools."

The Grattan Institute has forecast that Victoria needs 220 new schools in the next 10 years, with 213 for NSW and nearly 200 for Queensland.

Carr pointed to the often hypocritical nature of politicians and business figures who call for heightened levels of immigration in the interests of economic growth but who were insulated from its effects by living in suburbs like Point Piper – where Malcolm Turnbull has his home

"Barry O'Farrell [a Liberal NSW premier] declared he was a great supporter of a big Australia, he wanted more ambitious immigration and one of his first acts was to cancel plans for highrise in his electorate along the north shore rail line."

Carr also asserted that migrants were pushing down wages. "We had the Reserve Bank tell us that wages are too low. There is not enough growth in wages. And the reason is, the reason is we've got extraordinarily high immigration as part of our economic system."

But Daley and another panellist, Dr Jay Song, disputed this. Daley said the consensus among economists was that skilled migration tended to push wages up.

Song said 60% were skilled migrants and Australian businesses needed them to address skills shortages.

But Daley conceded that migration did drive up house prices.

Jane Fitzgerald, from the NSW Property Council said the answer was to do the planning on jobs, transport and housing. She strongly agreed with the Reserve Bank paper that said the planning system had added more than \$498,000 to the price of each house.

One questioner asked why we had not developed high-speed rail links to regional centres such as Newcastle and Wollongong to encourage decentralisation. Daley said despite 117 years of official policy to do that, the record was 117 years of failure.

"If we think we're doing it because we are making Newcastle and Wollongong dormitory towns for Sydney, that is doable," he said. But he added that it would be better to increase the density in the middle rings of Sydney.

Flannery said the issue was marshalling enough resources in regional centres, and that even agricultural resources were often too thin to attract business to regional Australian towns.

Several people pointed to the importance of universities in activating these towns. Daley said the problem was employers who congregated in big cities closer to other service industries.

One young woman raised the issue of global population growth, which is forecast to reach 9.4 billion people by 2075.